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THE

# STATE RECORDS

OF

## NORTH CAROLINA.

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COLLECTED AND EDITED

BY

**WALTER CLARK,**

CHIEF JUSTICE OF THE SUPREME COURT OF N. C.


## VOL. XXI—1788-'90.

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# PREFATORY NOTES.

This volume contains the proceedings of the Assembly for the sessions November, 1788, November, 1789, and November, 1790; also the letter-book of Governor Sam. Johnston from January, 1789, to December, 1789.

It was during this period that the State of North Carolina, not having acceded to the Union formed by the new Constitution of the United States, at the Hillsboro Convention of 1788 was in a measure separated from the other States of the Union until the Convention at Fayetteville in the following year. In the Legislature of November, 1788, petitions were introduced to call a new Convention for the purpose of reconsidering the action of the State in not accepting the proposed Constitution, and a second Convention being called, North Carolina became a member of the Union. In the meantime the new government had gone into operation. Hugh Williamson, one of our delegates to the Congress of the Confederation, writes from New York to Governor Johnston on 9 March, 1789: "On the fourth instant, according to appointment, sundry members of the new Congress, viz., eight Senators and fourteen of the House of Representatives, met at the public buildings in this city. Since that time the members of the old Congress have not attempted to form a House; some of them are in the new Congress, the remainder are chiefly gone home."

Some weeks had still to elapse before a sufficient number of members had arrived to form a quorum, and about the end of April Williamson again wrote: "On Thursday next, the President of the United States, G. Washington, is to take the oath and enter upon the duties of his office. The new form of government will then have commenced, and my privilege of presenting letters as a member of Congress will probably be disputed." Up to that time, the formation of the new government, Mr. Williamson "considered himself a member of Congress," and still remained at New York looking after the interest of North Carolina.

After the Fayetteville Convention had ratified the Constitution of the United States, and Alexander Martin had been elected Governor

to fill the vacancy caused by the election of Governor Sam. Johnston as Senator, he sent a parting message to the Legislature on the subject of the State's joining the Union—"as an event which must be the subject of great joy to our sister States." The apprehensions that led to doubt about the advisability of adopting the new Constitution are referred to, and he seeks to quiet them by such suggestions as this: "That the President, with all his supposed powers of royalty, the Senators, with their pretended aristocratic authority, and all members of the House of Representatives, after the several periods of their political existence, limited by the Constitution, have expired, must all return to the class of fellow-citizens and be amenable for their conduct and feel with them the effects of that government they have administered."

Still the succeeding Legislatures were not entirely complacent. At the session of November, 1789, when two Senators were to be elected, Governor Sam. Johnston, who was the most eminent public man in the State, was on the first ballot chosen a Senator; while several ballots had to be taken before the other Senator was chosen. At length, however, Benjamin Hawkins received a majority of the ballots.

At the session 1790 it was enacted that no person holding a Federal office should be eligible to a seat in the Assembly—or to a State office; but the Assembly refused to embrace in the prohibition Senators and Representatives in Congress, they being regarded as State officers. Our Senators being deemed remiss in not communicating promptly and fully with the State authorities, the Assembly passed a resolution: "Whereas, the secrecy of the Senate of the United States, the alarming measures of the late session of Congress, and the silence observed by the Senators of this State," etc., followed by direct resolutions of instructions.

Thus early the practice of instructing our Senators began.

There was also a clash between the judiciary as soon as the Federal judiciary system was put in force. In December, 1790, the State Judges, who at that time sat together in holding their courts, laid before the General Assembly a letter informing that body that they had refused to obey a writ of *certiorari* issued by a Federal Judge, removing a case to the Federal Court, and the Assembly, by resolution, commended them and approved their conduct.

Again, it being proposed that State officers should take an oath to support the Constitution of the United States, the Legislature refused to pass such an enactment; and the Governor, in being inducted into office, took only the oath of allegiance to North Carolina and an oath of office.

There evidently was considerable jealousy on the part of the North Carolina Assembly as to the government of the United States. The conflicting interests of the different towns also led to a long struggle over the proposition to give effect to the ordinance of the Convention locating a permanent Capital. On November, 1790, the proposition passed the House by the casting vote of the Speaker, Mr. Cabarrus; and on the same day failed in the Senate by the casting vote of the Speaker of the Senate.

It was at this period that the clause of the Constitution enjoining the establishment of a State School was given effect by the appointment of Trustees of the University of North Carolina, and Benjamin Smith made his donation to the University, receiving therefor the thanks of the Assembly, and provision was made, by State laws, for the erection of buildings and putting the school into operation. Alexander Martin, who had ever been a promoter of education, should be gratefully remembered by posterity for his warm interest in this educational work.

Our territory across the mountains was also at this period a cause of anxious solicitude. Spain claimed the Mississippi Valley and the Indians to the southward were easily swayed by Spanish emissaries to give trouble to the settlers who were now rapidly advancing into the Indian hunting grounds.

By our treaties with the Indians, their territory south of the French Broad was to be exempt from settlement; while further north purchases had been made and the settlers were free to move westward. Washington County (now in Tennessee) was ninety miles in length and forty in width, and listed about two thousand polls.

To the south of the French Broad, however, about fifteen hundred families had settled. There were some murders committed on each side, and John Sevier seems to have taken matters in his own hands and proposed to deal with the Indians without regard to the views of the North Carolina State authorities. His action was severely reprehended, as putting the entire western settlement in peril of a mur-

derous Indian warfare, and entailing a heavy and unnecessary expense upon the State. But after much negotiation a treaty was made, all prisoners were exchanged, and the Indians quieted. It was during that period, 1789, that Andrew Jackson was appointed Attorney-General for the district of "Mero," and entered on his official career in which he became so distinguished. Shortly afterwards a deed of cession was made to the United States for our territory west of the mountains, and the foundations of the State of Tennessee were laid.

As being worthy of mention, we note that John Paul Jones held his appointment from North Carolina, and because of his eminence Mr. Robert Burton presented his bust to the State.

Two incidents of the Craig invasion of the Cape Fear are referred to in this volume: one on page 694, relates to the seizure of public property and papers by Major Craig and their destruction; another is to the effect that General Lillington had a party of militia at Great Bridge, while the British were on the other side of the river at Mount Blake; and upon the withdrawal of the British the American officers burnt Mount Blake. The incidents of 1781 are so meagre that we call attention to the above.

RALEIGH, N. C.,
20 May, 1903.

# THE STATE RECORDS
OF
# NORTH CAROLINA.

## HOUSE JOURNAL---1788.

North Carolina,
In the House of Commons.

At a General Assembly begun and held at Fayetteville on the third day of November, in the year of our Lord one Thousand Seven hundred and Eighty Eight and in the Thirteenth Year of the Independence of the United States of America: It being the first Session of this Assembly.

The returning officers for the several Counties certified that the following Persons were duly Elected as Members to represent the Same in this House, viz:

For Anson,
Bladen, John Brown & Samuel Cain;
Bertie, William Horn & Francis Pugh;
Brunswick, Jacob Leonard and John Cains;
Burke, Joseph McDowell & Jo. McDowell, Jun.;
Beaufort,
Craven, Richard Nixon & John Allen;
Carteret, John Fulford & William Sheppard;
Chowan, Stephen Cabarrus & Samuel Creecy;
Currituck, Thomas Pool Williams & Griffith Dauge;
Cumberland, John McKay & William B. Grove;
Camden, Peter Dauge & Enoch Sawyer;
Caswell, Benjamin Douglass & John Graves;
Chatham, James Anderson & Joseph Stewart;
Duplin, Robert Dickson and Charles Ward;
Dobbs,
Davidson, Elijah Robertson & Thomas Hardiman;
Edgecombe, William Fort & Joshua Killebrew;
Franklin, Jordan Hill and Britain Harris;

Granville, Thomas Person & Elijah Mitchell;
Gates,
Greene,
Guilford, John Hamilton & William Gowdy;
Halifax, John Jones & John Branch;
Hyde,
Hawkins,
Hertford, Henry Baker & Henry Hill;
Johnston, William Ward & John Bryan, Jun.;
Jones, William Randal & John Hill Bryan;
Lincoln, John Moore & William Maclaine;
Martin, William Williams & Ebenezer Slade;
Moore,
Montgomery, James Tindal & Thomas Ussory;
Mecklenburg, Caleb Phifer & Joseph Douglass;
Northampton, John Knox;
Nash, Wilson Vick & John Bonds;
New Hanover,
Orange, Alex Mebane & Jonathan Lindley;
Onslow, Daniel Yates & Reuben Grant;
Pasquotank, Edward Everagin & Devotion Davis;
Perquimans, Joshua Skinner & Joseph Harvey;
Pitt, John Moye and Shadrick Allen;
Randolph, Zebedee Wood & William Bell;
Rowan, David Caldwell;
Rutherford, William Porter;
Rockingham, William Bethell & Abram Phillips;
Robeson, Elias Barnes & Neill Brown;
Richmond;
Surry, George Houser & William T. Lewis;
Sullivan,
Sampson,
Sumner, William Walton & James Clendenning;
Tyrrel, Simeon Spruill & Samuel Chesson;
Washington, James Stewart & John Blair;
Warren, Wyatt Hawkins & Henry Montfort;
Wilkes, John Brown and Joseph Herndon;
Wake, James Hinton & Britain Sanders;
Wayne, William Taylor & James Handley;

Town of Hillsborough, Absalom Tatum;
Halifax, Goodorum Davis;
Edenton, William Cumming;
New Bern, John Sitgreaves;
Wilmington, Edward Jones;
Salisbury, John Steele;

Pursuant to which the following Members appeared and took the Oaths by Law appointed for the qualification of Members of the General Assembly, Subscribed the Same, and took their Seats, viz:

John Brown,
Samuel Cain,
William Horn,
Francis Pugh,
John Cains,
Joseph McDowall,
Jo. McDowall, Jun.,
Richard Nixon,
John Allen,
William Sheppard,
Stephen Cabarrus,
John Fulford,
Lemuel Creecy,
Thos. P. Williams,
Griffith Dauge,
William B. Grove,
Peter Dauge,
Enoch Sawyer,
William Wood,
John Bryan,
William Randal,
John Hill Bryan,
John Moore,
William Maclaine,
William Williams,
Ebenezer Slade,
James Tindal,
Thomas Ussory,
Caleb Phifer,
Joseph Douglass,
John McKay,
Benjamin Douglass,
John Graves,
James Anderson,
Joseph Stewart,
Robert Dickson,
Charles Ward,
Elijah Robertson,
Thomas Hardiman,
William Fort,
Jo. Killebrew,
Jordan Hill,
Brittain Harris,
Elijah Mitchell,
John Hamilton,
William Gowdy,
John Jones,
Henry Baker,
William Porter,
William Bethell,
Abram Phillips,
Elias Barnes,
Niell Brown,
George Houser,
William T. Lewis,
William Walton,
James Clendening,
Simon Spruill,
Samuel Chesson,
James Stewart,

John Bonds,
Alexander Mebane,
Daniel Yates,
Reuben Grant,
Edward Everagin,
Devotion Davis,
Joshua Skinner,
Joseph Harvey,
John Moye,
Shadrick Allen,
Zebedee Wood,
William Bell,
David Caldwell,
Edward Jones,
Wilson Vick,
John Knox,
John Blair,
Wyatt Hawkins,
Henry Montfort,
John Brown,
Joseph Herndon,
James Hinton,
Brittain Sanders,
William Taylor,
James Handley,
John Branch,
Absalom Tatum,
Goodorom Davis,
William Cumming,
John Sitgreaves,
John Steele,
Jonathan Lindley.

Mr. Wyatt Hawkins proposed for Speaker, John Sitgreaves, Esqr., who was unanimously chosen and conducted to the Chair.

On motion, John Hunt was appointed Clerk and John Haywood Assistant.

On motion, James Malloy & Peter Gooding were appointed Door Keepers.

Received from the Senate the following Message:

Mr. Speaker and Gentlemen:

The Senate are now formed and ready to proceed on public business.

The House Adjourned till To-morrow Morning 10 O'clock.

Tuesday, 4 November, 1788.

The House met according to adjournment.

Ordered that the following Message be sent to the Senate:

Mr. Speaker & Gentlemen:

This House have received the Message of the Senate acquainting them that that House is formed and ready to proceed on the dispatch of public business, in answer to which we inform you this House is also formed.

Mr. Thomas Person one of the Members for Granville County, Mr. Lewis Holmes one of the Members for Sampson County, Mr.

Benjamin Sheppard & Mr. Nathan Lassiter the Members for Dobbs County, and Mr. William Martin one of the Members for Moore County, appeared and took their Seats.

Received from the Senate the following Message:

Mr. Speaker & Gentlemen:

The Message which accompanies this we propose shall be handed His Excellency the Governor, should it meet your Concurrence Mr. Blount and Mr. Williams will, on the part of the Senate, attend and present him with the same.

Ordered that the following Message be sent to the Senate.

Mr. Speaker and Gentlemen:

We have agreed to the address proposed to be presented His Excellency the Governor, & appointed Mr. Cabarrus & Mr. Steele to attend His Excellency with the same.

On a motion, made by Mr. Cabarrus and seconded by Mr. Steele,

Resolved, That the Members who qualified and took their Seats this Morning be called upon to assign reasons upon Oath or affirmation, why they did not appear, qualify and take their seats on yesterday; whereupon Mr. Benjamin Sheppard, Mr. Nathan Lassiter, Mr. Lewis Holmes and Mr. William Martin were called upon who rendered upon Oath such reasons for their non-attendance as the House deemed sufficient.

Mr. Miles King and Mr. Edward Williams the Members for Richmond County, Mr. William King one of the Members for Sampson County, Mr. Jacob Leonard one of the Members for Brunswick County, Mr. Lewis Lanier, Mr. Pleasant May the Members for Anson County, appeared, were qualified & took their Seats.

Ordered that the Members who last appeared & qualified be called upon to render reasons upon Oath or affirmation why they did not appear and qualify on yesterday. Pursuant to which Mr. Jacob Leonard, Mr. Edward Williams, Mr. Lewis Lanier, Mr. Pleasant May & Mr. William King rendered upon Oath reasons for their not qualifying, that were deemed sufficient by the House.

Received from the Senate the following Message:

Mr. Speaker & Gentlemen:

We have appointed Mr. Dixon, Mr. Graham, Mr. Hunt, Mr. Harget, Mr. Tipton, Mr. Dupree, and Mr. Brickell a Committee of Claims who will act jointly with such Gentlemen as you may think

proper to appoint for this purpose. We have also appointed Mr. Lane, Mr. Overton, Mr. Montgomery, Mr. McKinne, Mr. Ramsey, Mr. Reddick, and Mr. Holmes, on the part of the Senate, a Committee of Propositions and Grievances.

Ordered that the following message be sent to the Senate:

Mr. Speaker & Gentlemen:

We propose that a Committee be appointed from both Houses to enquire into the present state and condition of the public revenue and to make report thereon. We have on our part appointed Mr. Tatum Mr. Cumming, Mr. Jo. McDowell, Sr., Mr. Skinner, Mr. Edward Jones, Mr. Lindley, Mr. William Maclaine, Mr. Barnes, Mr. Bethel, Mr. John Jones, Mr. Edward Williams, Mr. McDowall, Jun., and Mr. Branch. We have appointed Mr. Stewart, Mr. Phillips, Mr. Leonard, Mr. Porter, Mr. King, Mr. Phifer, Mr. Hinton, Mr. Harvey and Mr. Joseph McDowall to act with the Gentlemen you have appointed as a Committee of Claims. We have also appointed Mr. Person, Mr. Elijah Roberson, Mr. Phifer, Mr. Hardiman, Mr. Dauge, Mr. Sanders, Mr. Creecy, Mr. Everagin and Mr. John Brown to act on our parts as a Committee of Propositions and Grievances.

Resolved, That Mr. Gowdy, Mr. Houser, Mr. McDowall, Mr. Branch, Mr. Dickson, Mr. Hamilton, Mr. Anderson, Mr. Person, Mr. Lewis, Mr. Brown, Mr. Maclaine and Mr. King, be a Committee of Privileges and Elections.

Resolved, That the Committee appointed to enquire into the State and Condition of the Public Revenue be directed to examine into and report the nett produce of our revenues and the amount and nature of our Public debts, who shall extend their enquiries into the present state of the Treasury, the application of the Monies levied and collected in the year 1787 and 1788, that they be authorized to call on His Excellency the Governor, the Treasurer, the Comptroller, the Commissioners, for purchasing Tobacco, the Commissioners of Confiscation, and all other Officers Concerned in receiving, appropriating and accounting for the Public Monies, or other persons and Papers they may deem necessary to such investigation, that they report from time to time as soon as possible on such Matters concerning the Public Monies or revenues, and also make up an estimate of the expences of the foreign and incidental charges of the ensuing year; And that before the end of this Session or as soon as possible they

form a full statement of the debts, funds and revenues of the State, which shall be printed and bound up with the Laws Enacted this Session.

Received from the Senate the following Message:

Mr. Speaker & Gentlemen:

We propose that a joint Committee be appointed to consider of and report what Bills of a general nature are necessary to be passed into laws at the present Assembly and to prepare and introduce the same; for this purpose we have appointed Mr. Caswell, Mr. Jones, Mr. Charles Johnston, Mr. Lenoir, Mr. Bloodworth, Mr. Hunt, Mr. Willis, Mr. Amis and Mr. Gaither.

Ordered that the following Message be sent to the Senate:

Mr. Speaker & Gentlemen:

We have on our part appointed Mr. Person, Mr. James Stewart, Mr. Cabarrus, Mr. Steel, Mr. Grove, Mr. Cumming, Mr. Jo. McDowal, Mr. Gowdy, Mr. Mebane, and Mr. Horn to act with the Gentlemen by you appointed as a Committee to consider of and report what Bills of a Public nature are necessary to be passed into laws at the present Session and to prepare the same.

Received from the Senate the following Message:

Mr. Speaker & Gentlemn:

It is the sense of this House that three Engrossing and Committee Clerks be made choice of by ballot this Evening at four O'clock, and nominate Mr. Abisha Thomas, Mr. Curtis Ivey, Mr. Pleasant Henderson, Mr. James Rhodes and Mr. Joseph Dixon. We also propose that those three, who on casting up the Poll shall appear to have the greatest number of votes, be deemed duly elected, tho' they may fall short of a Majority of the votes of the two Houses. Should these propositions meet your approbation Mr. Overton and Mr. Dupree will, on the part of the Senate, conduct the balloting. We further propose that the Superintendent, in order to save time, wait on the Houses separately to receive the ballots.

Ordered that the following Message be sent to the Senate:

Mr. Speaker & Gentlemen:

We concur with your propositions relative to the Election of Engrossing and Committee Clerks and have on our part appointed Mr. Ward and Mr. Hawkins to Superintend the balloting.

Received from the Senate the representation of Francis Child, Esquire, Comptroller. Endorsed, In Senate, read and referred to Mr. Jones, Mr. Gregory, Mr. Caswell and Mr. Blount; which being read was referred on the part of this House to Mr. Cabarrus, Mr. Person, Mr. Mebane, Mr. Steele, Mr. Gowdy, Mr. Williams, Mr. E. Jones & Mr. Cumming.

Mr. James Withrow one of the Members for Rutherford County, appeared, was qualified and took his seat.

Ordered that Mr. Withrow be called upon to render on Oath reasons why he did not appear and qualify as a Member of this House on yesterday. Mr. Withrow was accordingly called upon who rendered such reasons as were deemed sufficient.

Adjourned till 4 O'clock.

Met according to adjournment.

Mr. Thomas Carson one of the Members for Rowan County, appeared, was qualified and took his seat; whereupon Mr. Carson was called upon to render reasons upon Oath for his Non-attendance on yesterday, which he accordingly did; and they were deemed sufficient.

Mr. Jos. McDowall presented the Memorial of John Williams, Esquire, late Commissioner of Specifics in Caswell County, which being read was referred, on the part of this House, to the Committee of Propositions and Grievances & sent to the Senate.

Received from the Senate a presentment of the Grand Jury of Morgan District, which being read was ordered to lie on the Table.

Received from the Senate the following Messages:

Mr. Speaker & Gentlemn:

We agree with you in the appointment of a Committe to enquire into the present State and Condition of the Public revenue, and have nominated Mr. Blount, Mr. Williams, Mr. Macon, Mr. Gregory, Mr. Graham and Mr. Hunt, who will act jointly with the Gentlemen by you named for this purpose.

Mr. Speaker & Gentlemen:

We have added to the nomination for Engrossing and Committee Clerks, Mr. Duncan Ockletree.

Resolved, That the following rules of decorum be observed during the sitting of this House.

That no Person shall pass between the Speaker and the Person speaking.

That no Member shall be allowed to speak but in his place, and after rising and addressing himself to the Speaker shall not proceed until permitted by the Speaker calling him by name.

That no person shall stand up or disturb another while he is speaking.

That no Member shall come into the House or remove from one place to another with his Hat on, except those of the Quaker profession.

That no Member shall speak more than twice to one question upon any debate without leave, except in a Committee of the whole House.

The Speaker ought to be heard without interruption and when he rises the Member up shall sit down.

That no person shall be called upon for any words of heat but on the day on which they were spoken.

Whenever the Members are equally divided the Speaker shall determine the question, but not vote on any other occasion.

That no member shall depart the service of the House without leave.

That the House shall not proceed to debate on any Motion unless the same is seconded and immediately reduced to writing, provided any Member requires the same.

When two or more Members are up together the Speaker shall determine who rose first.

Whoever violates any of the above rules shall receive such censure as the House shall direct.

Whenever the House shall be divided on a question two tellers shall be appointed to number the Members on each side.

The House adjourned till To-morrow Morning 10 O'clock.

WEDNESDAY, 5 November, 1788.

The House met according to adjournment.

Mr. Henry Hill one of the Members for Hertford County, appeared, was qualified and took his Seat.

Ordered that the following Message be sent to the Senate:

Mr. Speaker & Gentlemen:

This House have added Mr. Cabarrus to the Committee appointed

to enquire into the present State and Condition of the Public revenues.

Mr. Mebane presented the Memorial of William Jamison, which being read was referred to the Committee of Propositions and Grievances, on the part of this House, and sent to the Senate

Mr. Mebane presented the Memorial of William Courtney, which being read was referred to the Committee of Propositions and Grievances, on the part of this House, and sent to the Senate.

Mr. Henry Hill one of the Members for Hertford County being called upon to render to the House reasons for not appearing and qualifying as a Member of this House on the day appointed for its meeting, informed the House he had no reason to offer; whereupon it was considered that he had incurred the penalty prescribed by law.

Received from His Excellency the following Message:

To the Honourable the General Assembly:

Gentlemen:

In pursuance of your message of yesterday, I herewith send you such of the public dispatches and Documents as appear to me of importance and claim your immediate attention.

The first object which calls for your serious attention is the proceeding of the late Convention of the people of Hillsborough, and the situation into which the State will be cast on the meeting of the Congress of the States United under the new Federal Constitution, as this State will not be represented in that Congress and her interest may be eventually affected by their proceedings; you will consider of the best method to obviate any inconvenience which may arise from the particular circumstances of the situation, and direct such mode of communication as may appear most eligible until the new Constitution is altered, so as to meet the approbation of the people of this State, and they become united with the other States.

You will perceive from the papers I now lay before you the unsettled and unhappy situation of the Inhabitants of this State on the western waters. The outrages and hostilities which have been mutually committed between them and the neighboring Tribes of Indians, have greatly alarmed not only the Neighboring States, in General, but the United States insomuch that Congress have ordered Troops to be in readiness to protect the Indians from Insults in future and the more effectually to secure the Peace of the United States.

I submit to you the expediency of enacting such regulations as

may be effectual to settle such disputes as may unfortunately hereafter arise between the Citizens of this State and the neighboring Tribes of Indians, in such manner as to avoid Blood shed and effectually bring to immediate punishment all who shall presume to violate the Treaties subsisting between the United States and the Indian Nations.

I decline appointing a Commissioner to treat with the Indians in conjunction with the States of South Carolina and Georgia, in pursuance of the resolve of Congress, observing that by the Instructions from Congress it was intended these Commissioners were to settle the Boundary between this State and the Indians, a power which appeared to me improper to be entrusted in any person but such as were appointed by the Legislature.

I submit to you the necessity of enacting a Law for the punishment of Piracy and Robberies at Sea, to give power to apprehend and secure Subjects and Citizens of other States and Kingdoms, Guilty of Crimes, who are fugitives from Justice and take up their residence in this State, and also to prevent the importation into this State, from other Kingdoms and States, of convicted Felons.

You will receive an Act of the Virginia Assembly, similar to one which was before the last Assembly held at this place and laid over for consideration, for cutting a Navigable canal between the waters of Pasquotank in this State, and the waters of Elisabeth river in the State of Virginia, to take effect whenever the General Assembly of this State shall pass an Act for that purpose. There is likewise a Resolve of the Virginia Assembly respecting the Boundary line between the two States which requires your immediate Consideration that I may be enabled to return an answer to the State of Virginia.

I forwarded the Resolve of the last Assembly respecting the navigation of the Mississippi to your Delegates in Congress, who have obtained an explicit Declaration of Congress avowing the undoubted right of the Citizens of the United States to the Navigation of that River.

The Continental Treasurer of Loans in this State has refused to receive from me the Warrants and other Securities of the United States which were ordered by the last Assembly to be taken up, and contends that Warrants should issue in favour of the holders on the Treasury of this State for the amount. You will be pleased to direct

in what manner they shall be disposed of so that this State may obtain Credit for them with the United States.

It has not been in my power to dispose of the Tobacco purchased for the use of this State, the proposals made to me by persons desirous of purchasing could not with safety be accepted; no individual could pay the Money till some time after the delivery of the Tobacco. I thought it would be hazardous to give Credit, as in Case of a Suit agreeable to the decisions of our Courts, the State might sustain a considerable loss; these decisions are founded on the Act regulating the value of the Currency, a Law which however just in its first Commencement has from a certain Concurrence of Circumstances become grievous and oppressive; I would therefore earnestly recommend to you a revision of the Laws regulating exchange and the relative value of the Paper Currency, and Specie, in such manner as to restore Credit to the Publick and to individuals that mutual trust and Confidence so essential to the welfare and prosperity of every State.

SAML. JOHNSTON.

Fayetteville, November 5, 1788.

Ordered that the following Message be sent to the Senate:

Mr. Speaker & Gentlemen:

We herewith send you a file of Papers, endorsed "papers relative to the Inhabitants on the Western Waters," part of the papers transmitted by His Excellency the Governor, which we propose referring to a Select Committee, and have appointed on the part of this House Mr. McDowall, Mr. Hamilton, Mr. McDowall, Jun., Mr. Caldwell, Mr. Sawyer, Mr. Steele, Mr. Jas. Stewart, Mr. Maclaine and Mr. E. Robertson.

Received from the Senate the Memorial of William Jamison, Wm. Courtney & John Williams. Severally endorsed, In Senate, read and referred as by the House of Commons.

Ordered that the following Message be sent to the Senate:

Mr. Speaker & Gentlemen:

A file of Papers endorsed "Letters from the Comptroller and Commissioner for settling accounts," this day received from His Excellency the Governor, & herewith sent you, we propose shall be referred to the Committee appointed on the representation of the Comptroller.

Ordered that the following Message be sent to the Senate:

Mr. Speaker & Gentlemen:

We herewith send you a message from His Excellency the Governor, with the several public dispatches and papers therein referred, to which we propose referring to the Committee on revenue, except those already referred.

Received from the Senate the Petition of Sarah Dupree. Endorsed, In Senate, read and referred to the Committee of Claims, which being read, was referred to the same Committee by this House and returned.

Mr. Cabarrus presented the Memorial of Michael Weldair, which being read was referred by this House to the Committee of Propositions and Grievances and sent to the Senate.

The House adjourned until To-morrow Morning 10 O'clock.

THURSDAY, 6th November, 1788.

The House met according to adjournment.

Mr. John Pugh Williams and Mr. Thomas Devane the Members for New Hanover County, and Mr. William Mears one of the Members for Moore County, appeared, were qualified and took their Seats.

Mr. John Pugh Williams, Mr. Thomas Devane and William Mears being called upon to render reasons upon Oath for their non-attendance on the day appointed for the meeting of the General Assembly, rendered reasons that were deemed sufficient.

Received from His Excellency the Governor, the following Message:

To the Honourable the General Assembly:

Gentlemen:

This accompanies a Letter from Mr. Williamson one of your Delegates in Congress, with sundry authentick Documents relating to the Debt due from this State to the United States; as this appears to me a subject of the first importance to the State, I earnestly recommend it to your most serious & attentive Consideration, and Submit to you how far it may be necessary to appoint a person of known integrity and approved abilities to attend the Commissioners, in order to solicit and explain the just Claims of this State against the United States.

SAML. JOHNSTON.

Fayetteville, October 5, 1788.

Ordered that the following Message be sent to the Senate

Mr. Speaker & Gentlemen:

We herewith send you a Message this day received from His Excellency the Governor, addressed to the General Assembly, together with the Letter and Documents therein referred to, which we propose referring to the Committee on Revenue.

Ordered that Mr. John Pugh Williams and Mr. Steele be added to the Committee on Revenue, and Mr. Moore to the Committee of Propositions and Grievances.

Ordered that the following Message be sent to the Senate:

Mr. Speaker & Gentlemen:

We have added Mr. John Pugh Williams and Mr. Steele to the Committee on Revenue and Mr. Moore to the Committee of Propositions and Grievances.

Mr. Steele presented the Petition of Robert Linn, late Commissary of Militia, praying, &c.; which being read was referred by this House to the Committee of Propositions and Grievances and sent to the Senate.

Mr. Steele presented the Petition of Robert Linn, Guardian of the orphans of Philip Rough, praying, &c.; which being read was referred to the Committee of Propositions and Grievances by this House and sent to the Senate.

Mr. Steele presented the Petition of sundry of the Inhabitants of Rowan County praying a division thereof, which being read, Mr. Steele then moved for leave and presented a Bill agreeable to the prayer thereof, which was read the first time, passed and sent to the Senate.

Mr. Herndon presented the Petition of Sundry of the Inhabitants of the Western Counties, praying, &c.; which being read was referred by this House to the Committee of Propositions and Grievances and sent to the Senate.

Mr. Maclaine presented the Petition of Daniel McKissick, praying, &c.; which being read was referred to the Committee of Propositions and Grievances and sent to the Senate.

Mr. Edward Jones presented the Memorial of Edward Bridgen of the City of London, Merchant, setting forth, &c.; which being read was referred to the Committee of Propositions and Grievances and sent to the Senate.

Mr. Bonds presented the Petition of Wilson Taylor, praying, &c.;

which being read was referred to the Committee of Propositions and Grievances and sent to the Senate.

Mr. Maclaine presented the resignation of Francis Cunningham as a Justice of the Peace for Lincoln County, which being read was accepted by this House and sent to the Senate.

Mr. Wyatt Hawkins, from the joint balloting for three Engrossing and Committee Clerks, reported that Pleasant Henderson, Curtis Ivey & Abashai Thomas were Elected by a majority of Votes.

The House taking this report into Consideration Concurred therewith.

Mr. Benjamin Douglass, moved for leave and presented a Bill to establish the Town already laid off at the Court House in Caswell County, which was read the first time, passed and sent to the Senate.

Mr. Person moved for leave and presented a Bill to correct the errors and mistakes in an Act entituled "an Act to amend an Act entituled an Act to remove all disabilities from Simon Cleary and others therein named," which was read the first time, passed and sent to the Senate.

The House adjourned till To-morrow Morning 10 O'clock.

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Friday, 7 November, 1788.

The House met according to adjournment.

Mr. George Maxwell and Mr. John Scott the Members for Sullivan County, appeared, were qualified and took their Seats.

Mr. Maxwell and Mr. Scott being called upon to render reasons upon Oath for their non-attendance on the day appointed for the meeting of the General Asembly, rendered such reasons as were deemed sufficient.

Ordered that Mr. Maxwell be added to the Committee to whom was referred the Papers relative to the inhabitants on the Frontiers, &c.

Ordered that the following Message be sent to the Senate:

Mr. Speaker & Gentlemen:

We have added Mr. Maxwell to the Committee to whom was referred the file of Papers relative to the Western Inhabitants and Indian Affairs.

Mr. Coor presented the Petition of sundry of the Inhabitants of Rowan County praying a division thereof, which being read, Mr. Carson then moved for leave and presented a Bill agreeable to the

prayer thereof, which being read the first time was passed and sent to the Senate.

Mr. Elijah Roberson presented the Petition of Sundry of the Inhabitants of Davidson County, praying a division thereof, which being read, Mr. Roberson then moved for leave and presented a Bill agreeable to the prayer thereof, which was read the first time, passed and sent to the Senate.

Mr. Miles King moved for leave and presented a Bill to erect and establish an Academy in the County of Richmond, which was read the first time, passed and sent to the Senate.

Received from the Senate the following Messages, to-wit:

Mr. Speaker & Gentlemen:

We agree with you in referring the Papers laid before this Assembly by His Excellency the Governor, relative to the Inhabitants on the Western Waters, to a Special Committee and have appointed Mr. Tipton, Mr. Caswell, Mr. Jones, Mr. Amis, Mr. Blount, Mr. McDowall and Mr. Gregory to act jointly with the Gentlemen by you named for this purpose.

Mr. Speaker & Gentlemen:

We agree that the file of Papers laid before the Assembly by His Excellency the Governor, respecting the Offices of the Comptroller and Commissioner of Accounts be referred to the Consideration of the Committee appointed on the representation of the Comptroller.

Mr. Speaker & Gentlemen:

We have added to the Committee apointed to examine and report on the State of the Public Revenue, Mr. Willie Jones and Mr. Charles Johnson.

Mr. Speaker & Gentlemen:

We have received your Message inclosing an address from His Excellency the Governor, of yesterday's date together with the Papers therein alluded to, but do not agree to the whole of the references by you made. It is the opinion of this House that the Papers relating to Indian Treaties be reported on by the Committee appointed on the Papers relative to the disorders in the Western parts of this State. That the file of papers relating to the several Conventions, Letters from the Secretary of Foreign Affairs and those from the Governor of Virginia be submitted to the Consideration of the Committee appointed to report what Bills of a public nature are necessary to be

passed at the present Assembly. As to those not herein mentioned we agree that they stand referred as by you proposed.

Ordered that the following Message be sent to the Senate:

Mr. Speaker & Gentlemen:

We agree that the several Papers, relative to Indian Treaties & to the several Conventions, from the Secretary of Foreign affairs & the Governor of Virginia, be referred as by you proposed.

Received from the Senate the following Message:

Mr. Speaker & Gentlemen:

We agree that the Message from His Excellency the Governor, of this day together with its enclosures, be referred to the Committee appointed to report on the present State of the Public revenue.

Received from the Senate the following Petitions, to-wit: Edward Bridgen of the City of London, Robert Linn in behalf of the Orphans of Philip Rough, Wilson Taylor, Sundry the Inhabitants of the Western Country, Daniel McKissick & Robert Linn. Severally endorsed, In Senate, read and referred as by the House of Commons.

Mr. Miles King moved for leave and presented a Bill to establish an Inspection of Tobacco in the County of Richmond on the land of William Blewett, on the South East side of the Pee Dee river; which was read the first time, passed and sent to the Senate.

Received from the Senate the Memorial of John Williams, eldest surviving son of James Williams, late of South Carolina, Deceased. Endorsed, In Senate, read and referred to the Committee of Propositions and Grievances; which Memorial being read was referred as by the Senate, and returned.

Received from the Senate the Report of the Committee on the representation of the Comptroller. Endorsed, In Senate, read and Concurred with; which report being read was Concurred with by this House and returned.

Mr. Miles King moved for leave and presented a Bill to empower the Commissioners therein mentioned to build a Gaol in each of the Counties of Richmond and Anson, and to levy a Tax to defray the Expence thereof; which was read the first time, passed and sent to the Senate.

Received from the Senate a Bill for dividing the County of Rowan. Endorsed, In Senate, read the first time and passed.

Ordered that this Bill be read for the second time in this House, which Bill was accordingly read the Second time, passed and sent to the Senate.

Received from His Excellency the Governor, the following Messages:

To the Honourable the General Assembly:

Gentlemen:

I herewith lay before you all the returns and other Documents relating to the Battalion Commanded by Major Thomas Evans.

SAML. JOHNSTON.

Fayetteville, November 7, 1788.

To the Honourable the General Assembly:

Gentlemen:

For your further information on the subject of the Indian Affairs, I send you two Letters which have come to my hand since my message of the fifth Instant, you will receive at the same time a Continuation of the Journals of Congress, to the first day of October.

SAML. JOHNSTON.

Fayetteville, November 7, 1788.

Ordered that the following Message be sent to the Senate:

Mr. Speaker & Gentlemen:

We herewith send you two Messages this day received from His Excellency the Governor, one enclosing the returns and documents relating to the Battalion Commanded by Major Thomas Evans, the other inclosing two Letters on the subject of Indian Affairs; the former we propose referring to the Committee on revenue, the latter to the Committee on Indian Affairs.

Received from the Senate the following Message:

Mr. Speaker & Gentlemen:

In order that the several Committees may have an opportunity of preparing the business of the Session we propose that the two Houses adjourn until Monday next.

Ordered that the following Message be sent to the Senate:

Mr. Speaker & Gentlemen:

We agree that the two Houses of the General Assembly adjourn until Monday next as by you proposed.

Ordered that the following Message be sent to the Senate:

Mr. Speaker & Gentlemen:

We propose that the General Assembly proceed to ballot on Tuesday next in the afternoon for a Governor of this State for the ensuing year, and a Council of State. We nominate for Governor, His Excellency Samuel Johnston, Esq. For Councillors of State, John Kinchen, John Mair, John Skinner and Whitmell Hill, Esquires.

Received from the Senate the following Bills. Endorsed, In Senate read the first time and passed; viz:

A Bill to annex part of the County of Carteret to the County of Jones;

A Bill to repeal part of an Act entituled "an Act for the better regulation of the Town of Halifax and extending the liberties thereof";

A Bill to correct the errors and mistakes in an Act entituled "an Act to remove all disabilities from Simon Cleary and others therein named;"

A Bill to empower the Commissioners therein mentioned to build a Gaol in each of the Counties of Richmond and Anson, &c.;

A Bill for dividing the County of Davidson;

A Bill to establish an Inspection of Tobacco in the County of Richmond, &c.;

A Bill to erect and establish an Academy in the County of Richmond;

A Bill to establish the Town already laid off at the Court House in Caswell County; and

A Bill for dividing Rowan County.

Received from His Excellency the Governor the two following Messages, to-wit:

To the Honourable the General Assembly:

Gentlemen:

A few days before the meeting of the Assembly I received the resignation of the office of Vendue Master of the Town of New Bern, from Mr. Titus Ogden, which vacancy I declined to supply on account of the near approach of the present Session.

SAML. JOHNSTON.

Fayetteville, Nov. 7, 1788.

To the Honourable the General Assembly:

Gentlemen:

With this I send you a Petition in favour of Thomas Donoho and

William Sanders, laid before the Council of State and by them referred to the Assembly, as will appear from their Journals.

SAML. JOHNSTON.

Fayetteville, November 7, 1788.

Ordered that the following Message be sent to the Senate:

Mr. Speaker & Gentlemen:

We herewith send you two messages of this day's date from His Excellency the Governor, one enclosing a Petition in favour of Thomas Donoho and William Sanders, the other covering the resignation of Titus Ogden as Vendue Master for the Town of New Bern. The former we propose referring to the Committee of Propositions and Grievances.

Ordered that Mr. John Bonds have leave to absent himself from the service of this House until Tuesday next, Mr. Benjamin Sheppard to attend New Bern Superior Court, & Mr. Mears and Mr. Neill Brown until Wednesday next.

Resolved, That no Member of the General Assembly, who shall be absent from the service thereof during the Session, shall be entitled to receive pay as a Member during the time of such absence.

Mr. Tatom presented the Petition of John McGee, praying, &c., which being read, Mr. Tatom then moved for leave and presented a Bill to entitle John McGee to recover the Estate of his reputed Brother Jesse Steed, deceased; which was read the first time, passed and sent to the Senate.

Received from the Senate the resignation of Francis Cunningham. Endorsed, In Senate, read and accepted.

Mr. Jo. McDowall presented the Memorial of William T. Lewis praying to have an allowance made to himself and others for their attendance at Salisbury Superior Court as Witnesses in behalf of the State against John Combs and Mason Combs, which being read, was referred by this House to the Committee of Claims and sent to the Senate.

Mr. Jo. McDowall presented the Memorial of William T. Lewis and others whose names are therein mentioned praying to have an allowance made to them for apprehending, taking up and delivering to Officers of the late Continental Army, Sundry deserters; which being read, was referred by this House to the Committee of Claims and sent to the Senate.

The Bill to repeal part of an Act intituled "an Act for the better

regulation of the Town of Halifax and extending the liberties thereof, and for altering the mode of laying and levying Taxes in the Town of Edenton," was read the first time, passed and sent to the Senate.

The Bill to annex part of the County of Carteret to the County of Jones, was read the first time, passed and sent to the Senate.

The House adjourned until Monday Morning 10 O'Clock.

MONDAY, 10 November, 1788.

The House met according to adjournment.

Ordered that Mr. Shadrick Allen have leave to absent himself from the Service of this House for a few days.

Mr. Thomas King one of the Members for Hawkins County, appeared, was qualified and took his Seat; whereupon Mr. King was called upon to render reasons upon Oath for his non-attendance on the day appointed for the meeting of the General Assembly, which he accordingly did, and they were deemed sufficient.

Mr. Mebane presented the Petition of Thomas Donoho and William Sanders at present confined in the District Gaol of Hillsborough, praying to be released from their confinement; which being read, was referred to the Commitee of Propositions and Grievances by this House and sent to the Senate.

Mr. Edward Jones moved for leave and presented a Bill to amend an Act entituled "an Act directing the method of Electing Members of the General Assembly, and more fully explaining the disqualifying clauses in the Constitution," which was read the first time, passed and sent to the Senate.

On a motion made by Mr. Cabarrus and seconded by Mr. John Pugh Williams, Resolved, That all Public Bills shall be noted for the second and third readings at least one day previous thereto.

Mr. Randal presented the Petition of sundry of the Inhabitants of Dobbs County, praying that a part of the said County be added to Jones County; which being read, Mr. Randal moved for leave and presented a Bill to annex part of Dobbs County to the County of Jones, which was read the first time, passed and sent to the Senate.

Ordered that Mr. Sheppard one of the members for Carteret County, have leave to absent himself from the service of this House after Thursday next.

Mr. Tatom moved for leave and presented a Bill to amend an Act

entituled "an Act for the regulation of the Town of Hillsborough," which was read the first time, passed and sent to the Senate.

Mr. Bell presented the Petition of Sundry of the Inhabitants of Randolph County praying that an Act be passed to establish and lay out a Town in Randolph County; which being read, Mr. Bell moved for leave and presented a Bill for erecting a Town on the Land of Thomas Dauggan in Randolph County, which was read the first time, passed and sent to the Senate.

The Committee appointed to enquire into the State and Condition of the Public Revenue, Reported that they find it impracticable to proceed on the business to them committed without the Accounts of the Treasurer and Comptroller, they therefore recommend that Mr. Thomas one of the Engrossing Clerks, be requested to proceed immediately to the Comptroller's office and obtain therefrom all the Books, papers and documents necessary to be laid before this Committee.

Your Committee also propose that a Copy of the Resolve of the Assembly appointing the Committee on revenue be transmitted with the above to the Comptroller for his further information. Your Committee also recommend the following resolutions to be adopted, viz.:

Whereas, it is found to be impracticable to complete the statements of the Accounts of this State against the United States within the term limited by Congress.

Resolved, That the Delegates of this State in Congress be and they are hereby instructed to solicit an extension of the term.

Resolved also, That His Excellency the Governor, be requested to forward the preceding resolution by express to the line of the post, from thence to go with expedition to our Delegates in Congress.

All which is submitted.

S. CABARRUS, Ch'n.

The House taking this Report into Consideration Concurred therewith.

Mr. Chesson presented the Petition of Sundry of the Inhabitants of Tyrrell County, praying, &c.; which being read, Mr. Chesson moved for leave and presented a Bill for erecting a Town on the Lands of Tabitha Marriner and John Marriner in the County of Tyrrell, on the West side of Scuppernong river, at the place called and known

by the name of Back Landing; which was read the first time, passed and sent to the Senate.

Mr. Ussory presented the Petition of Sundry of the Inhabitants of Montgomery county, praying, &c.; which being read, Mr. Ussory moved for leave and presented a Bill to annex part of the County of Montgomery to Richmond, which was read the first time, passed and sent to the Senate.

The Bill to confirm the rights and titles of several Citizens of this State in certain Negroes therein described, and preventing unjust and vexatious Law-suits, was read the first time, passed and sent to the Senate.

The Bill to correct the errors and mistakes in an Act entituled "an Act to amend an Act entituled an Act to remove all disabilities from Simon Cleary and others therein named," was read the second time, passed & Sent to the Senate.

The Bill to establish the Town already laid off at the Court House in Caswell County, was read the second time, amended, passed and sent to the Senate.

The Bill for dividing the County of Davidson was read the second time, passed and sent to the Senate.

The Bill to erect and establish an Academy in the County of Richmond, was read the second time, passed and sent to the Senate.

The Bill to impower the Commissioners therein mentioned to build a Gaol in each of the Counties of Richmond and Anson, and to levy a Tax to defray the expence thereof, was read the second time, passed and sent to the Senate.

Mr. Carson moved for leave to withdraw for amendment the Bill for dividing Rowan County. Ordered that he have leave accordingly.

The Bill to establish an Inspection of Tobacco in the County of Richmond on the Lands of William Blewett, on the South East side of Pee Dee River, was read the second time, passed and sent to the Senate.

Received from the Senate the Memorial of William Attmore. Endorsed, read & referred to the Committee on Public Bills; which being read, was ordered to lie on the Table.

Mr. Tatom presented the Memorial of John Williams, Esquire, of Caswell County, which being read, was referred to the Committee of Claims by this House and sent to the Senate.

Received from the Senate the Petition of the Inhabitants of French Broad Settlement. Endorsed, read and referred to the Committee on Propositions and Grievances; which being read was referred as by the Senate and returned.

Received from the Senate the Memorial of John Armstrong. Endorsed, In Senate, read and referred to the Committee of Propositions & Grievances; which being read, was referred as by the Senate and returned.

Received from the Senate the following Bills. Endorsed, read the first time and passed; vizt:

A Bill to annex part of Dobbs County to the County of Jones;

A Bill to amend an Act entituled "an Act directing the method of electing Members of the General Assembly," &c.;

A Bill to amend an Act entitled "an Act for the regulation of the Town of Hillsborough;"

A Bill to entitle John McGee to recover the Estate of his reputed Brother Jesse Steed, deceased; and

A Bill to continue an Act passed at Tarborough entitled "an Act for fixing the final settlement of unliquidated Claims," &c.

Mr. Cabarrus presented the Petition of John De Roulhac, praying, &c.; which being read, was referred to the Committee on Revenue and sent to the Senate.

Mr. Cabarrus moved for leave and presented a Bill to revive part of an Act entituled "an Act to suppress excessive gaming" which was read the first time, passed and sent to the Senate.

The Bill to continue an Act passed at Tarborough in December, 1787, intituled "an Act for fixing the final settlement of Unliquidated Claims against the United States within this State;" was read the first time, passed and sent to the Senate.

The Bill to entitle John McGee to recover the Estate of his reputed Brother Jesse Steed; was read the Seond time, passed and sent to the Senate.

Mr. Cabarrus moved for leave and presented a Bill to repeal an Act intituled "an Act for hiring out persons convicted on Indictment or presentment, not being able or willing to pay the fees of office and Gaolers fees"; which was read the first time, passed and sent to the Senate.

Received from His Excellency the Governor, the following Message:

To the Honourable the General Assembly:

Gentlemen:

With this will be handed you a Letter from the Vice Consul of France with a state of the Debt due from this State to the Government of Martinique.

SAML. JOHNSTON.

Fayetteville, 10 Nov., 1788.

Ordered that the following Message be sent to the Senate:

Mr. Speaker & Gentlemen:

We herewith send you a Message of this day's date from His Excellency the Governor, addressed to the General Assembly, covering a Letter from the Vice Consul of France, with a state of the Debt due from this State to the Government of Martinique, which we propose referring to the Committee on Revenue.

Ordered that the following Message be sent to the Senate:

Mr. Speaker & Gentlemn:

We propose that the same rules for reading Bills as were pursued the last Session of Assembly be observed this Session.

Received from the Senate the Resolve of this House declaring that a Member of the General Assembly shall be allowed pay for any time he may be absent upon leave, Concurred with.

Ordered that Mr. King be added to the Committee on Indian Affairs, and Mr. Person to the Committee on Revenue.

Ordered that the following Message be sent to the Senate:

Mr. Speaker & Gentlemen:

We have added Mr. King to the Committee on Indian Affairs and Mr. Person to the Committee on Revenue.

Received from the Senate a Bill to appoint Inspectors for the Ware House built in Fayetteville by Robinson Mumford and James Porterfield, established by Act of Assembly December 1785. Endorsed, read the first time and passed.

Ordered that this Bill be read for the first time in this House, which was accordingly read the first time, passed and returned to the Senate.

Mr. Carson presented the Petition of Gasper Smith, praying, &c.; which being read, was referred to the Committee of Propositions and Grievances, and sent to the Senate.

Received from the Senate the Report of the Committee appointed

to consider of and report what Bills of a Public nature are necessary to be passed into Laws at the present Session. Endorsed, In Senate, read and Concurred with; which report being read, was concurred with by this House and returned.

Mr Carson presented the Petition of Jane Spurgin, praying, &c.; which being read, was referred to the Committee of Propositions and Grievances by this House, and sent to the Senate.

Received from the Senate the following Messages of the 7th Instant, to-wit:

Mr. Speaker & Gentlemen:

The Message from His Excellency the Governor, of this day and papers accompanying it, we agree with you in referring to the Committee on Revenue and Indian Affairs.

Mr. Speaker & Gentlemen:

We have added Mr. Benford and Mr. Dickson to the Committee of Propositions and Grievances, and Mr. Robertson to the Committee on Indian Affairs.

Received from the Senate the following Message of this day's date, to-wit:

Mr. Speaker & Gentlemen:

We agree that a Governor of this State for the ensuing year be made choice of by ballot on Tuesday next and approve of your Nomination. We also agree to ballot for a Council of State at the same time and add to the nomination by you made, James Armstrong, Thomas Eaton, James Iredell, Dempsey Conner, and Josiah Collins, Senr., Esquires.

We propose that a Secretary of this State be also balloted for, and nominate to that appointment James Glasgow, Esquire.

Ordered that the following Message be sent to the Senate:

Mr. Speaker & Gentlemen:

We agree to ballot for a Public Secretary at the time of balloting for a Governor as by you proposed, and approve of your nomination to that office. We have added to the nomination for Councillors, Maxwell Chambers, Samuel Strudwick, Thomas Owen and Lawrence Baker, Esquires.

The Committee, to whom the Memorial of John Williams Commissioner of the Specific provision Tax for the County of Caswell, was referred, Reported,

That the British Army in the year 1781, under the Command of Lord Cornwallis, took possession of the Stores or Magazines of the said Commissioner, and used or otherwise destroyed great quantities of grain and other species of provision deposited therein, as appeared to your Committee by satisfactory Testimony. That in consequence of such destruction the said Williams, as Commissioner aforesaid, on a settlement with the Comptroller fell considerably in arrears. From the affidavits of the said Williams corroborated by other indubitable Testimony adduced to your Committee in writing and herewith presented, they are convinced the aforesaid balance arose altogether from the destruction made by the Troops aforesaid, and not by any neglect or Sinister Conduct of the said Williams. They therefore are of opinion that he ought to be allowed for the same, and that the Comptroller be directed to balance his account accordingly.

All which is submitted.

THOMAS PERSON, Ch'n.

The House taking this report into Consideration concurred therewith.

The Committee, to whom the Petition of Robert Linn on behalf of the Orphans of Philip Rough, was referred, Reported,

That by the said Petition, and a Certificate of Robert Lanier late Treasurer of Salisbury District, dated the 15th Day of April, 1781, herewith presented, it appears that as treasurer aforesaid, he received of Philip Rough's Orphans, under an Act of the Assembly passed the 13th Day of December, 1780, the Sum of Ten Thousand four hundred pounds, drawing an Interest of Six per Centum until paid. As no fund heretofore appears to your Committee to have been established for the purpose of redeeming such Certificates, or that by any of the Laws for laying a tax for the support of Government and directing the mode of collecting the same, they are receivable in payment of public taxes, they therefore beg leave to recommend that the Treasurer be directed to redeem such Certificates with actual Money when reduced by the Scale of Depreciation, or that by a resolution of the Assembly they may be received in discharge of the Money part of the ensuing year's Tax.

All which is submitted.

THOMAS PERSON, Ch'n.

The House taking this report into Consideration Concurred therewith.

The Committee, to whom the Petition of William Courtney of the Town of Hillsborough was referred, Reported,

That the said Courtney sustained considerable damage by the Continental Troops under the Command of General Gates encamping on his plantation, burning fence rails, cutting timber, &c., as appears by a Certificate of the Deputy Quarter Master General herewith presented.

Your Committee considering the damages complained of by the said Courtney to be such as in their nature are inadmissable, they therefore beg leave to recommend that it be rejected.

THOMAS PERSON, Ch'm.

The House taking this Report into Consideration Concurred therewith.

The Committee, to whom the Petition of William Jamison, of Orange County, was referred, Report,

That the said Jamison was a Collector for one of the Districts in the County aforesaid for the year 1784. That he fully collected and accounted for all the Tax in his said district except the insolvents, which he failed to apply to Court for an allowance of, until after the Sheriff had made a final settlement of the Taxes of said County with the Treasurer, who then instituted a Suit against the said Jamison and recovered the Sum of Sixteen pounds and Eight pence, the amount of the insolvencies in said District, as appears by the Clerk's Certificate or Copy of the record of the County Court of Orange, herewith presented.

Your Committee, from the information of William McCawley, and other Circumstances, are convinced that the said recovery of sixteen pounds and eight pence was founded on the said insolvencies; and considering that as the State hath received a Sum of Money not justly due and owing, They therefore recommend that a Resolution be passed allowing the said Jamison out of the Taxes of the ensuing year the aforesaid Sum of Sixteen pounds and Eight pence to be paid in Money and Certificates agreeably to the nature of the said Judgment, that is Eleven pounds three Shillings and four pence in Money and four pounds Seventeen Shillings and four pence in Certificates.

All which is submitted.

THOMAS PERSON, Ch'n.

The House taking this report into Consideration Concurred therewith.

The Committee, to whom the Petition of Wilson Taylor, Executor of the last Will and Testament of Edward Moore, of Nash county, was referred, Reported,

That the said Wilson Taylor as Executor aforesaid, was bound to make a settlement with the Treasurer for Certificates received by the said Deceased as Entry Taker of Nash County. That on his way to the Treasury for the purpose of making such settlement, he was robbed of his Saddle Bags and therein a Sum of Certificates sufficient to discharge the arrearges aforesaid. Your Committee therefore are of opinion, and beg leave to recommend that the Treasurer be directed to forbear instituting a Suit against the said Taylor as Executor aforesaid, for the recovery of the said arrearages until the first day of October next, agreeably to the prayer of the Petition.

All which is submitted.

THOMAS PERSON, Ch'n.

The House taking this report into Consideration Concurred therewith.

The Committee, to whom the Petition of Sundry Inhabitants of the Western Counties on the Subject of Lands and the price of entering the same, was referred, Reported,

That the rates already established by Law for the entry of vacant or unappropriated Lands are sufficiently low and cheap, they therefore beg leave to recommend that the said Petition be rejected.

All which is submitted.

THOMAS PERSON, Ch'n.

The House taking this Report into Consideration Concurred therewith.

The House adjourned until To-morrow Morning 10 O'clock.

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TUESDAY, 11 November, 1788.

The House met according to adjournment.

Received from the Senate the following Bills, endorsed, In Senate, read the Second time and passed, to-wit.:

A Bill to repeal part of an Act intituled "an Act for the better regulation of the Town of Halifax and extending the liberties thereof," &c.;

A Bill to annex part of the County of Carteret to the County of Jones; and

A Bill for dividing the County of Rowan.

Received also a Bill to repeal part of an Act passed at Tarborough in November Session, 1787, intitled "an Act to regulate the Inspection of Tobacco in this State." Endorsed, read the first time and passed.

Received from the Senate the Memorial of William T. Lewis and others praying an allowance for taking up deserters, and the Petition of Thomas Donoho & William Sanders, and the Memorial of William T. Lewis & others praying an allowance for attending as Witnesses against John Combs & Mason Combs. Endorsed, read and referred as by the House of Commons.

Received from His Excellency the Governor, the following Message, to-wit:

To the Honourable the General Assembly:

Gentlemen:

I herewith submit to your Consideration two letters, one from the Commissioners of the Treasury of the United States, the other from the Continental Treasurer of Loans in this State; at the same time I send you a further return of the purchase of Tobacco by the Commissioner for the District of Fayetteville.

SAML. JOHNSTON.

Fayetteville, 11 November, 1788.

Ordered that the following Message be sent to the Senate:

Mr. Speaker & Gentlemen:

We herewith send you a Message of this day's date from His Excellency the Governor, addressed to the General Assembly, with the letters therein referred to, and a further return of the purchase of Tobacco by the Commissioner at Fayetteville, which we propose referring to the Committee on Revenue.

Mr. Carson, who had leave to withdraw for amendment the Bill for dividing Rowan County, delivered in at the Clerk's Table the Bill with the amendments.

Ordered that Mr. William Taylor have leave to absent himself from the service of this House.

Received from the Senate the following Message:

Mr. Speaker & Gentlemen:

The Message from His Excellency the Governor, of the 10th Inst., together with its inclosures, we agree with you in referring to the Committee on Revenue.

Received from the Senate the following Message:

Mr. Speaker & Gentlemen:

From the number of Petitions and other papers before this Assembly on the subject of the Foederal Constitution, we propose that the two Houses assemble in conference on Wednesday next at 9 O'clock in the forenoon, in the room where the House of Commons sit, in order to fully hear and deliberate on that subject, as well as to determine on the propriety of convening a Second Convention in this State.

Received from the Senate Sundry Petitions from the Counties of Camden, Hertford, Randolph, Johnston, Tyrrell, Hyde, Richmond, Carteret, Dobbs, Chowan, Lincoln, Onslow, Rowan, Surry, Mecklenburg, Martin, Chatham, Currituck and Edgecombe, setting forth the grievances under which the inhabitants of this State labour by the decision of the late Convention on the proposed plan of Government for the United States, and praying that the General Assembly would recommend another Convention to take under further consideration the said plan of Government; which Petitions being read, a motion was made that this House should agree with the Senate, that the two Houses meet in Conference To-morrow to take under consideration the propriety of calling another Convention, which was objected to; the question being put was negatived.

Mr. Hill presented the Petition of sundry of the Inhabitants of Franklin County, praying an allowance for their attendance at Halifax Superior Court as Witnesses in behalf of the State against Martin Campbell & others; which being read was referred to the Committee of Claims.

Whereas, sundry of the Good People of this State did, upon the faith and credit of the promises held forth in an Act of the General Assembly passed the 13th Day of December, 1780, deposit with the several District Treasurers considerable Sums of Money upon Interest; and whereas, no provision hath hitherto been made for the redemption and payment of the Money so loaned; it is therefore,

Resolved, That the Treasurer be, and he is hereby authorized, impowered and required to pay off in Money and take up all such Certificates as were issued by any of the late district Treasurers for

Money's by them received on loan, after reducing the same to Specie by the Scale of depreciation which shall be computed agreeable to the date of the Certificates, which Certificates so paid off and taken up by the Treasurer shall be received as vouchers in the settlement of his accounts with the public.

Received from the Senate a Bill to annex part of Bladen to Robeson County and to amend an Act intitled "an Act to divide the County of Bladen. Endorsed, read the first time and passed.

Received from the Senate the following Message:

Mr. Speaker & Gentlemen:

We have received the Report of the Committee appointed to enquire into the state of the Public revenue, but cannot concur with it as it now stands, but propose that it be amended by deleing from the word *that* in the fourth line of the report to the word *them* in the Eighth and substituting the following herewith sent you marked A. B.; also that from the word *information* be deled to the word *express,* inclusive.

Ordered that the following Message be sent to the Senate:

Mr. Speaker & Gentlemen:

We have received your Message proposing to amend the report of the Committee appointed to enquire into the State and condition of the public revenue, and accede thereto; have made the report conformable & now send it for your Concurrence.

Received from the Senate a Bill for cutting a Navigable Canal from the waters of Pasquotank River in this State to the waters of Elizabeth river in the State of Virginia. Endorsed, read the first time and passed.

Received from the Senate the Petition of Gasper Smith, the Petition of Jane Spurgin & the Memorial of John Williams. Severally endorsed, read and referred as by the House of Commons.

On a motion made by Mr. Cabarrus and seconded by Mr. Gowdy,

Resolved, That this House will proceed to take under Consideration the several Petitions this day received from the Senate, praying for another Convention, on Saturday next.

Ordered that the following Message be sent to the Senate:

Mr. Speaker & Gentlemen:

We have received the Message of the Senate proposing a Confer-

ence of the two Houses on the propriety of Convening another Convention, with which we do not Concur.

We have determined to take under Consideration the several Petitions relating to this subject, on Saturday next.

Mr. Edward Jones moved for leave and presented a Bill for ascertaining the mode of paying the Members of the General Assembly in future; which was read the first time, passed and sent to the Senate.

Received from the Senate a Bill to carry into effect the ordinance of the Convention held at Hillsborough in July, 1788, intitled "an Ordinance for establishing a place for holding the future meetings of the General Assembly and the place of residence of the Chief Officers of the State." Endorsed, read the first time and passed.

The Bill to repeal part of an Act passed at Tarborough in November Session, 1787, intitled "an Act to regulate the Inspection of Tobacco in this State," was read the first time, passed and sent to the Senate.

Mr. Porter presented the Petition of Nathaniel Hambrick, praying, &c.; which being read, was referred to the Committee of Propositions and Grievances and sent to the Senate.

Received from the Senate the Petition of Charles Dixon. Endorsed, in Senate, read and referred to the Committee of Propositions and Grievances; which being read, was referred as by the Senate and returned.

Mr. Steele presented the Memorial of Abram Creson, praying, &c.; which being read, was referred on the part of this House to Mr. Steele, Mr. M. Cumming and Mr. Hawkins and sent to the Senate.

Ordered that the following Message be sent to the Senate:

Mr. Speaker & Gentlemen:

We have added Thomas Polk and Miles King, Esquires, to the nomination for Councillors.

Mr. Hamilton presented the Petition of Sundry of the Inhabitants of Washington County praying a division thereof; which being read, Mr. Hamilton moved for leave and presented a Bill agreeable to the prayer thereof, which was read the first time, passed and sent to the Senate.

Received from the Senate the following Reports Concurred with by that House, to-wit.:

On the Petition of William Courtney;

On the Petition of William Jamison;

On the Petition of Wilson Taylor;

On the Petition of John Williams, and

On the Petition of the Inhabitants of the Western Country relative to the price paid for lands entered with the Entry officers of this State.

The Committee, to whom was referred the Petition and Memorial of Daniel McKissick praying an allowance to be made him in consequence of a wound received in the Service of the State in an Action with the Tories at Ramseur's Mill on the Morning of the 20th June, 1780, Reported,

That by an Act of the General Assembly passed at Hillsborough the 25th June, 1784, your Committee conceives provision was made for the Citizens wounded in the service of the State; they therefore beg leave to recommend that the said Petition be rejected. All which is submitted.

THOMAS PERSON, Ch'm.

The House taking this Report into Consideration Concurred therewith.

Received from the Senate the Petition of William Murphey and William R. Murphey. Endorsed, In Senate, read and referred to the Committee of Claims; which being read, was referred as by the Senate.

Received from the Senate the following Messages, to-wit.:

Mr. Speaker & Gentlemen:

We agree that the Rules for reading and passing Bills observed by the last Assembly be adopted by the present.

Mr. Speaker & Gentlemen:

We have added the name of Miles King to the nomination of Councillors, and approve of the additions by you made, except as to Lawrence Baker, he being Clerk of a Court and expressly debarred by the Constitution.

Mr. Speaker & Gentlemen:

The Message from His Excellency the Governor, of to-day with

the additional return of Tobacco purchased at the Town of Fayetteville and other papers accompanying them, we agree with you in referring to the Committee appointed to enquire into the State of the Public revenue.

Mr. Hinton moved for leave and presented a Bill to amend an Act to direct the method of appointing Jurors and Surveyors to run out disputed Lands; which was read the first time, passed and sent to the Senate.

Mr. Gowdy presented the Petition of William Scott, praying, &c.; which being read, was referred on the part of this House to Mr. Mebane, Mr. Gowdy, Mr. Mitchell, Mr. Hamilton, & Mr. Phifer, and sent to the Senate.

Received from the Senate the following Message:

Mr. Speaker & Gentlemen:

The Message from His Excellency the Governor, of the 10th Inst., together with its enclosures, we agree with you in referring to the Committee on revenue.

Received from the Senate the following Bills. Endorsed, In Senate, read the first time and passed, to-wit.:

A Bill for erecting a Town on the Land of Tabitha Marriner, &c.;

A Bill for ascertaining the mode of paying the Members of the General Assembly in future;

A Bill for erecting a Town on the Lands of Thomas Daugan in Randolph County;

A Bill to repeal an Act intitled "an Act for hiring out persons Convicted on Indictment or presentment not being able or willing to pay the fees of office and Gaolers fees;

A Bill to annex part of the County of Montgomery to Richmond, and

A Bill to revive part of an Act intituled "an Act to suppress excessive gaming."

Received from the Senate the following Message:

Mr. Speaker & Gentlemen:

We have added Mr. Hill to the Committee on Indian affairs and public revenue.

The House adjourned until 4 O'Clock, P. M.

Met according to Adjournment.

Ordered that the following Message be sent to the Senate:

Mr. Speaker & Gentlemen:

We are now ready to proceed to the balloting as heretofore agreed upon, and have appointed Mr. Cabarrus and Mr. Hawkins to superintend the same on the part of this House.

Received from the Senate the following Messages, to-wit:

Mr. Speaker & Gentlemen:

We have added to the Committee on Indian Affairs Mr. James Roddy.

Mr. Speaker & Gentlemen:

We are now ready to proceed on the balloting, and have appointed Mr. Macon & Mr. Lenoir to Superintend the same on the part of this House.

Received from the Senate a Bill to repeal two Acts of the General Assembly of this State, one passed at New Bern in November, 1784, intituled "an Act to describe and ascertain such persons who owe allegiance to this State, and impose certain disqualifications on certain persons therein described;" the other passed at New Bern in the year 1785, intituled "an Act to amend an Act passed at New Bern in November, 1784, intituled an Act to describe and ascertain such persons who owe allegiance to this State, and to impose certain disqualifications on certain persons therein described." Endorsed, In Senate, read the first time and passed.

The Bill to annex part of Bladen to Robeson County and to amend an Act intituled "an Act to divide the County of Bladen," was read the first time, passed and sent to the Senate.

Received from the Senate the Report of the Committee appointed to enquire into the State and Condition of the Public revenue, Concurred with by that house.

Received from the Senate the Petition of John De Roulhac. Endorsed, In Senate, read and referred as by the House of Commons.

Received from the Senate the report of the Committee appointed to Consider of, and report what Bills of a public nature are necessary to be passed into Laws at this Session of Assembly. Endorsed, read & Concurred with; which being read, was concurred with by this House & returned.

Received from the Senate the following Message:

Mr. Speaker & Gentlemen:

This accompanies a Letter just received from the Comptroller relative to the settlement of the accounts of this State with the Commissioner appointed on the part of the United States, which we propose shall be referred to the Consideration of the Committee appointed on the Comptroller's representation.

Ordered that the following Message be sent to the Senate:

Mr. Speaker & Gentlemen:

We agree that the Letter just received from the Comptroller relative to the settlement of the accounts of this State with the Commissioner appointed on the part of the United States, be referred as by you proposed.

Received from the Senate the Petition of William Scott. Endorsed, In Senate, read and referred on the part of the Senate to Mr. Charles Johnson, Mr. Graham and Mr. Whitmell Hill.

Received from the Senate the following Bills, to-wit:

A Bill to continue an Act passed at Tarborough December, 1787, intituled "an Act for fixing the final settlement of unliquidated Claims against this State and the United States within this State. Endorsed, read the second time and passed;

A Bill for dividing the County of Washington;

A Bill to amend an Act intituled "an Act to direct the method of appointing Jurors and Surveyors to run out disputed Lands." Endorsed, read the first time and passed.

The House adjourned until To-morrow Morning 9 O'clock.

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Wednesday, 12 November, 1788.

The House met according to adjournment.

Mr. Wyatt Hawkins, from the joint Balloting for a Governor, Secretary, and Council of State,

Reported that Samuel Johnston, Esquire, was Elected Governor, and James Glasgow, Esquire, Secretary; John Skinner, James Iredell, John Kinchin, James Armstrong, Josiah Collins, Whitmell Hill & Dempsey Conner, Esquires, Councillors.

The House taking this report into Consideration Concurred therewith.

Ordered that Mr. John Haywood, Assistant Clerk to this House, have leave to absent himself from the Service thereof on account of his indisposition.

Received from the Senate the representation of Richard Blackledge. Endorsed, in Senate, read and referred to the Committee appointed on Revenue, which representation being read, was on the part of this House, referred to the said Committee and returned.

The Bill to carry into effect the Ordinance of the Convention held at Hillsborough in July, 1788, intituled "an Ordinance for establishing a place for holding the future meetings of the General Assembly, and the place of residence of the Chief officers of the State;" was read the first time, passed and sent to the Senate.

The Bill to repeal two Acts of the General Assembly of this State, one passed at New Bern in November, 1784, intituled "an Act to describe and ascertain such persons who owe allegiance to this State and impose certain disqualifications on certain persons therein described; the other passed at New Bern in the year 1785, intituled "an Act to amend an Act passed at New Bern in November, 1784, intituled an Act to describe and ascertain such persons who owe allegiance to this State, and to impose certain disqualifications on certain persons therein described," was read the first time, passed and sent to the Senate.

The Bill for cutting a Navigable Canal from the waters of Pasquotank River in this State, to the waters of Elizabeth River in the State of Virginia, was read the first time, passed and sent to the Senate.

The Bill to amend an Act intituled "an Act for the regulation of the Town of Hillsborough," was read the second time, passed and sent to the Senate.

Received from the Senate a Bill to further amend an Act intituled "an Act to amend an Act intituled an Act to remove all disabilities from Simon Cleary and others therein named." Endorsed, read the second time, amended and passed.

Mr. William B. Grove moved for leave and presented a Bill to amend an Act intituled "an Act for the better regulation of the Town of Fayetteville, passed at Tarborough in November, 1787;" which was read the first time, passed and sent to the Senate.

Mr. Steele presented the Memorial of Mary Bledsoe, widow and relict of the late Colo. Anthony Bledsoe, which being read, together

with other papers relative to the subject therein contained, was referred to the Committee on Indian Affairs and sent to the Senate.

Received from the Senate a Bill to enable John McGee to inherit and recover the Estate of his reputed Brother Jesse Steed, deceased. Endorsed, read the second time, amended and passed.

Ordered that the Bill to revive part of an Act intituled "an Act to suppress excessive gaming," be read for the Second time in this House to-morrow.

The Bill to continue an Act passed at Tarborough December, 1787, intituled "an Act for fixing the final settlement of unliquidated claims against this State and against the United States within this State;" was read the Second time, amended, passed and sent to the Senate.

Mr. Edward Jones moved for leave and presented a Bill to alter the name of Port Brunswick to that of Port Wilmington, which was read the first time, passed and sent to the Senate.

The Bill to repeal part of an Act intituled "an Act for the better regulation of the Town of Halifax and extending the Liberties thereof, and for altering the mode of laying and levying Taxes in the Town of Edenton," was read the Second time, amended, passed and sent to the Senate.

Received from the Senate the Report of the Committee on the Petition of Daniel McKissick, concurred with by that House.

Received from the Senate a Bill to confirm the rights and titles of several Citizens of this State in certain Negroes therein described, and preventing unjust and vexatious Law Suits. Endorsed, read the Second time, amended and passed.

Received from the Senate the Petition of Nathaniel Hambrick, and the Memorial of sundry people of the County of Franklin. Endorsed, read and referred as by the House of Commons.

The Bill for ascertaining the mode of paying the Members of the General Assembly in future for travelling to and returning from the Assemblies, and for altering the times of holding the Annual elections for members of Assembly," was read the Second time, amended, passed and sent to the Senate.

Received from the Senate a Bill for the relief of the Creditors of absentees comprehended within the Confiscation Laws. Endorsed, read the first time and passed.

Received from the Senate the report of the Committee to whom

was referred the representation of the Comptroller. Endorsed, read and concurred with; which report being read, was concurred with by this House and returned.

Received from the Senate a Bill to erect and establish an Academy in the County of Richmond, and a Bill to annex part of Bladen to Robeson County & to amend an Act intitled "an Act to divide the County of Bladen." Endorsed, read the Second time and passed.

Mr. Mebane presented the Petition of Archibald Lyttle, late Commissioner of Confiscation for the District of Hillsborough; which being read, was referred to the Committee of Propositions and Grievances and sent to the Senate.

Mr. Person presented the Petition and Account of John Jones, late Sheriff of Halifax County, which being read, was referred to the Committee of Claims and sent to the Senate.

The Bill to amend an Act entituled "an Act to amend an Act to remove all disabilities from Simon Cleary and others therein named," was read the third time, passed and sent to the Senate.

Mr. Cains presented the Petition of Thomas Johnston, praying, &c.; which being read, Mr. Cains moved for leave and presented a Bill impowering Thomas Johnston, late Sheriff of Onslow County, his Heirs, Executors or Administrators, to collect the Sinking Fund Tax due from his County for the year 1786, and for giving him or them a longer time for collecting and settling the same; which was read the first time, passed and sent to the Senate.

The House adjourned until To-morrow Morning 9 O'clock.

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THURSDAY, 13th November, 1788.

The House met according to adjournment.

The Bill to revive part of an Act intituled "an Act to suppress excessive gaming," was read the Second time, amended, passed and sent to the Senate.

Ordered that the Bill for erecting a County on the Northeast side of Yadkin River in Rowan County, be read To-morrow for the Second reading in this House; and the Bill for dividing the County of Rowan, for the third reading.

Received from the Senate a Bill to amend an Act intituled "an Act for the better regulation of the Town of Fayetteville," passed at

Tarborough in November, 1787, and a Bill to alter the name of Port Brunswick to that of Port Wilmington. Endorsed, read the first time and passed.

The Bill to erect and establish an Academy in the County of Richmond, was read the Second time, amended, passed and sent to the Senate.

Mr. Elijah Roberson moved for leave and presented a Bill for the more effectual and easy administration of Justice in the District of Washington and Davidson, and for dividing the Military Jurisdiction of Washington; which was read the first time, passed and sent to the Senate.

Received from His Excellency the Governor, the following Message:

To the Honourable the General Assembly:

GENTLEMEN:

I herewith lay before you a Letter from the Commissioner for purchasing Tobacco at Tarborough, with his return of the purchases by him made since the date of his last return.

SAML. JOHNSTON.

Fayetteville, Nov. 13th, 1788.

Ordered that the following Message be sent to the Senate:

Mr. Speaker & Gentlemen:

We herewith send you a Message from His Excellency the Governor, covering a return of the purchase of Tobacco made by the Commissioner at Tarborough which we propose referring to the Committee on Revenue.

Mr. McDowall, Jun., moved for leave and presented a Bill for dividing Greene County, which was read the first time, passed & sent to the Senate.

The Bill to enable John McGee to Inherit and recover the Estate of his reputed Brother, Jesse Steed, deceased, was read the third time, passed and sent to the Senate.

Ordered that the Bill to amend an Act intituled "an Act directing the method of electing Members of the General Assembly, & more fully explaining the disqualifying clauses in the Constitution," be read for the second time in this House To-morrow.

The Bill to annex part of Bladen to Robeson County, and to amend

an Act intituled "an Act to divide the County of Bladen," was read the Second time, passed and sent to the Senate.

Mr. William B. Grove moved for leave and presented a Bill to appoint Commissioners to Superintend the building a Prison and Stocks for the District of Fayetteville, and to levy a Tax on the Counties within the said District for defraying the expences thereof; which was read the first time, passed and sent to the Senate.

The Bill for the relief of the Creditors of absentees comprehended within the confiscation Laws, was read the first time, passed and sent to the Senate.

Received from the Senate the Petition of Mary Bledsoe. Endorsed, read & referred as by the House of Commons.

Received from the Senate a Bill to establish the Town already laid off at the Court House in Caswell County; and A Bill to repeal part of an Act passed at Tarborough in November, 1787, intituled "an Act to regulate the Inspection of Tobacco in this State." Endorsed, read the second time and passed.

The Bill to amend an Act for the better regulation of the Town of Fayetteville, passed at Tarborough in November, 1787, was read the Second time, passed and sent to the Senate.

Mr. Randal moved for leave to withdraw for amendment the Bill to annex part of Dobbs County to the County of Jones. Ordered that he have leave.

Received from the Senate a Bill once more to extend an Act intituled "an Act to pardon and consign to oblivion the offences and misconduct of certain persons in the Counties of Washington, Sullivan, Greene, and Hawkins." Endorsed, read the first time and passed.

Received from the Senate the Petition of John Jones, and the Petition of Archibald Lyttle. Endorsed, read and referred as by the House of Commons.

The Bill to annex part of the County of Carteret to the County of Jones, was read the second time, passed and sent to the Senate.

Received from the Senate a Bill to alter the mode of Swearing Petit Juries in the Courts of Law in this State. Endorsed, read the first time and passed.

Mr. Holmes presented a Petition from Sundry of the Inhabitants of Sampson County, praying that the General Assembly recommend to the Inhabitants of this State to convene a second Convention to

take under consideration the proposed Constitution for the future Government of the United States.

The Bill once more to extend an Act entitled "an Act to pardon and consign to oblivion the offences and misconduct of certain persons in the Counties of Washington, Sullivan, Greene and Hawkins," was read the first time, passed and sent to the Senate.

Mr. Bonds presented the resignation of Joseph T. Clinch as first Colonel of the Nash Regiment of Militia; which being read, was accepted by this House and sent to the Senate.

Mr. Mitchell presented the resignation of Howell Lewis as Lieutenant-Colonel Commandant of the Hillsborough Regiment of Cavalry; which being read, was accepted by this House and sent to the Senate.

Mr. Horne presented the Petition and claim of William Wootten and Henry Bradford; which being read, were referred to the Committee of Propositions and Grievances & sent to the Senate.

Received from the Senate a Bill to annex part of Brunswick County to the County of New Hanover; and A Bill to amend the Militia Law for the further Security of the Western Frontiers. Endorsed, read the first time and passed.

Received also a Bill to continue an Act passed at Tarborough December, 1787, intituled "an Act for fixing the final settlement of unliquidated claims against this State and against the United States within this State." Endorsed, read the third time & passed.

Mr. Edward Jones moved for leave and presented a Supplementary Bill to an Act entituled "an Act concerning proving Wills and Granting Letters of Administration, and to prevent frauds in the management of Intestates Estates," which was read the first time, passed and sent to the Senate.

Received from the Senate the Petition of Henry Montfort. Endorsed, read and referred to the Committee of Propositions and Grievances; which being read, was referred as by the Senate and returned.

Received from the Senate the remonstrance of Andrew Bass. Endorsed, read and referred to the Committee of Propositions and Grievances; which being read, was referred as by the Senate and returned.

Ordered that the following address be presented to His Excellency the Governor:

To His Excellency Samuel Johnston, Esquire, Governor, Captain-General and Commander-in-Chief of the State of North Carolina:

Sir:

The General Assembly proceeded on the Eleventh Instant to the appointment of a Governor for this State the ensuing year, when you Sir, was re-elected to that office; the two Houses propose to receive your Excellency in the room where the House of Commons sit on Tuesday next at 12 O'clock in order that you may take the Oaths of qualification to that office.

Ordered that the above address be sent to the Senate for their Concurrence, with the following Message:

Mr. Speaker & Gentlemen:

We herewith send for your Concurrence an Address which we propose shall be presented His Excellency the Governor.

The Bill for erecting a Town on the Lands of Tabitha Marriner and John Marriner in the county of Tyrrell, on the West side of Scuppernong river, at the place called and knawn by the name of the Back Landing, was read the second time, amended, pased and sent to the Senate.

Mr. Joseph Hardin and Mr. Alexander Outlaw the Members for Greene County, appeared, were qualified and took their Seats; whereupon Mr. Hardin and Mr. Outlaw were called upon to render reasons upon Oath for their non-attendance on the day appointed for the meeting of the General Assembly, which they accordingly did, and the reasons rendered were deemed sufficient.

Ordered that Mr. Joseph Hardin, Mr. Alexander Outlaw, Mr. John Pugh Williams, Mr. Dickson and Mr. Skinner be added to the Committee on Indian Affairs, and Mr. Hawkins to the Committee of Claims.

Ordered that the following Message be sent to the Senate:

Mr. Speaker & Gentlemen:

We have added Mr. Hardin, Mr. Outlaw, Mr. J. P. Williams, Mr. Dickson and Mr. Skinner to the Committee on Indian affairs, and Mr. Hawkins to the Committee of Claims.

The Bill to annex part of the County of Montgomery to Richmond, was read the Second time, passed & sent to the Senate.

The Bill to alter the mode of Swearing Petit Juries in the Courts

of Law in this State, was read the first time, passed and sent to the Senate.

The Bill to establish the Town already laid off at the Court House in Caswell County, was read the third time, passed and sent to the Senate.

The Bill for erecting a Town on the lands of Thomas Dougan in Randolph County, was read the Second time, amended, passed & sent to the Senate.

The Bill to annex part of Brunswick County to the County of New Hanover, was read the first time, passed & sent to the Senate.

The Bill to alter the name of Port Brunswick to that of Port Wilmington, was read the second time, passed and sent to the Senate.

Mr. Cabarrus moved for leave to withdraw for amendment, the Bill to repeal an Act entituled "an Act for hiring out persons Convicted on Indictment or presentment not being able or willing to pay the fees of office and Gaolers fees." Ordered that he have leave accordingly.

Ordered that the Bill to confirm the rights and titles of several Citizens of this State in certain Negroes therein described and preventing unjust and vexatious Law Suits;

The Bill to amend an Act entituled "an Act to direct the method of appointing Jurors and Surveyors to run out disputed Lands," and the Bill for dividing Washington County; be read To-morrow each, for the Second reading in this House.

Ordered that the Bill to amend the Militia Law for the further Security of the Western Frontiers, be committed to the Committee on Indian Affairs.

Ordered that the following Message be sent to the Senate:

Mr. Speaker & Gentlemen:

We propose that the Bill herewith sent you to amend the Militia Law, &c., be committed to the Committee on Indian Affairs.

Ordered that the Bill to continue an Act passed at Tarborough December, 1787, intituled "an Act for fixing the final settlement of unliquidated claims against this State," &c., be read for the third and last time on Monday next.

Ordered that the Bill to repeal part of an Act passed at Tarborough in November Session, 1787, intituled "an Act to regulate the

Inspection of Tobacco in this State," be read for the Second reading on Monday next.

The House adjourned until To-morrow Morning 10 O'clock.

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FRIDAY, 14 November, 1788.

The House met according to adjournment.

Received from the Senate a Bill for the recovery of Debts according to Contract, and

A Supplementary Bill to an Act intituled "an Act concerning proving Wills and granting Letters of Administration and to prevent frauds in the management of Intestates Estates." Endorsed, read the first time & passed.

Received from the Senate the resignation of Howell Lewis, Lieutenant-Colonel Commandant of the Hillsbo. Regiment of Cavalry; and the resignation of Joseph J. Clinch as Colo. of the Nash Regiment of Militia. Endorsed, read and accepted.

Received from the Senate a Resolution of that House directing the mode to be observed by the Committee of Claims in passing upon such Claims as shall be laid before them; which being read, was Concurred with and returned.

Received from the Senate the following Messages, to-wit.:

Mr. Speaker & Gentlemen:

Mr. Charles Johnson and Mr. Williams will, on the part of this House, examine the Engrossed Bills.

Mr. Speaker & Gentlemen:

We concur with you in referring His Excellency the Governor's Message, together with the return of Tobacco purchased by the Commissioner at Tarborough, to the Committee on Revenue.

Mr. Horn presented the Petition of the Executors of Arthur Brown, deceased; which being read, was referred to the Committee of Propositions and Grievances, and sent to the Senate.

Received from the Senate the Petition and Memorial of Hodge & Wills, Public Printers. Endorsed, read and referred to Mr. Caswell, Mr. Hill, and Mr. Macon on the part of the Senate; which Petition and Memorial being read, was referred on the part of this House to Mr. Cabarrus, Mr. E. Jones, Mr. Mebane, Mr. Steele and Mr. Person.

Resolved, That Mr. Steele and Mr. Sanders be appointed, on the part of this House, to examine the Engrossed Bills.

Ordered that the following Message be sent to the Senate:

Mr. Speaker & Gentlemen:

We have appointed Mr. Steele and Mr. Sanders to examine the Engrossed Bills.

The Honourable the Speaker, laid before the House an address from the Public Treasurer, which being read, was referred on the part of this House, to Mr. Mebane, Mr. E. Jones, Mr. Carson & Mr. Maclaine.

The Bill for erecting a County on the North East side of Yadkin River in Rowan County, was read the Second time and laid over until the next Assembly.

The Bill for dividing the County of Rowan, was read the third time, amended, passed and sent to the Senate.

On the question, shall this Bill pass or not pass, the Yeas and Nays were required by Mr. Person Seconded by Mr. Cabarrus, which are as follows:

Yeas:—Messrs. Cain, Cains, McDowall, McDowall, Jun., McKay, B. Douglass, Graves, Anderson, Dickson, C. Ward, E. Robeson, Hardiman, Hamilton, Gowdy, J. Moore, Maclaine, W. Williams, Ussory, Phifer, J. Douglass, Mebane, Z. Wood, Bell, Caldwell, Porter, Bethell, Barnes, N. Brown, Houser, W. T. Lewis, Walton, Clendenning, Jas. Stewart, Blair, Brown of Wilkes, Herndon, E. Jones, Steele, Lindley, Holmes, Martin, M. King, E. Williams, W. King, Lennard, May, Withrow, Carson, J. P. Williams, Devane, Maxwell, Scott, T. King, Hardin, Outlaw, Grove.—56.

Nays:—Messrs. Horn, Pugh, Nixon, Allen, W. Sheppard, Cabarrus, Fulford, Creecy, T. Pool, Williams, G. Dauge, Sawyer, Fort, Killebrew, J. Hill, B. Harris, Mitchell, J. Jones, Baker, W. Ward, Bryan, Randal, J. H. Bryan, Slade, Bonds, Yates, Grant, Everagin, D. Davis, Skinner, Moye, Spruill, Chesson, Hawkins, Montfort, Hinton, B. Sanders, Handley, Tatom, Goodorom, Cumming, Vick, Knox, Person, Lassiter, H. Hill, Meares, P. Dauge.—48.

Mr. Mebane presented the Petition of Charles Markland and John Herritage, which being read was referred on the part of this House, to Mr. Person, Mr. P. Williams & Mr. Allen, and sent to the Senate.

Mr. Maxwell presented the Memorial of William Delancy, which

being read, was referred on the part of this House, to the Committee of Claims and sent to the Senate.

Mr. Maxwell presented the Petition of William Armstrong, which being read was referred to the Committee of Propositions and Grievances and sent to the Senate.

Mr. Outlaw presented the Petition of Sundry the Inhabitants of French Broad river, praying that a new county be erected, which being read, was referred to the Committee on Indian Affairs and sent to the Senate.

Mr. Anderson presented the Memorial of Travis Harper, which being read, was referred to the Committee of Propositions and Grievances and sent to the Senate.

Mr. Person presented the Petition of John Coart, which being read, was referred to the Committee of Propositions and Grievances and sent to the Senate.

Received from the Senate a Letter from James Iredell, Esqr., addressed to the Honbl. the General Assembly. Endorsed, In Senate, read and referred to the Committee on the representation of the Public Printer; which being read, was referred as by the Senate and returned.

Mr. Goodorom Davis presented the Petition of Sundry the Inhabitants of the Town of Halifax, praying that another Convention be convened to take under consideration the proposed Constitution for the future Government of the United States.

Received from the Senate the Petition of Stephen Hyde. Endorsed, read and referred to the Committee of Propositions and Grievances; which being read, was referred as by the Senate.

Received from the Senate a Bill to amend an Act entituled "an Act for the better regulation of the Town of Fayetteville," passed at Tarborough in November, 1787; and a Bill to annex part of Brunswick County to the County of New Hanover. Endorsed, read the Second time and passed.

Received also a Bill to annex part of Bladen to Robeson County and to amend an Act intituled "an Act to divide the County of Bladen." Endorsed, read the third time and passed.

Mr. Cabarrus presented the Petition of Edward Tinker, praying, &c.; which being read, was referred to the Committee on the representation of the Public Printer, and sent to the Senate.

Received from the Senate the Memorial of John Oreler. En-

dorsed, read and referred to the Committee of Propositions and Grievances; which being read, was referred as by the Senate and returned.

Received from the Senate the resignation of John Atkinson one of the Justices of Caswell County. Endorsed, read and accepted; which being read, was accepted by this House and returned.

Mr. Lanier presented the resignation of William Treadgill, Nathan Morris and James Boggan three Justices of the Peace for Anson County; which being read, was accepted by this House and sent to the Senate.

Received from the Senate a Bill to appoint Commissioners to Superintend the building a prison and Stocks for the District of Fayetteville, and to levy a Tax on the Counties within the said District for defraying the expences thereof; and a Bill impowering Thomas Johnston late Sheriff of Onslow County, his Heirs, Executors or Administrators, to collect the Sinking Fund Tax, &c. Endorsed, read the second time and passed.

Mr. Lanier presented the Petition of Joel Martin, John Jennings & Littleberry Roach, praying to be released from the payment of a forfeited recognizance; which being read was rejected.

Mr. Ussory presented the Petition of Joseph Stacy, praying to be released from the payment of his forfeited recognizance; which being read was rejected.

Received from the Senate the Petition of Charles Markland & John Herritage. Endorsed, In Senate, read and referred on the part of the Senate to Mr. Harget, Mr. Graham & Mr. Overton.

Received from the Senate the Petition of John Coart. Endorsed, In Senate, read and referred as by the House of Commons.

Received from the Senate the Petition of the Executors of Arthur Brown, and the Memorial of William Armstrong. Endorsed, read and referred to the Committee of Propositions and Grievances.

The Committee to whom the Memorial of William Wootten & Henry Bradford, acting Executors of the last will and Testament of John Bradford, deceased, was referred, praying an allowance to be made for House rent and firewood furnished the Board of Auditors for Halifax District, Reported,

That by an Act of the General Assembly the several Boards of Auditors in this State were enabled to draw from the Treasury a

certain sum of Money for the purpose of purchasing Stationery, paying House rent and other necessaries incidental to their offices, and it appearing to your Committee that the said Board did not draw any part of the aforesaid Sum for the purpose aforesaid, they therefore are of opinion that the said Executors be allowed for the benefit of the estate of the said deceased the Sum of Twenty-five pounds in full for House rent, firewood, &c., furnished the said Board.

All which is submitted.

THOMAS PERSON, Ch'n.

The House taking this report into consideration Concurred therewith.

Received from the Senate a Bill to establish a Town at the Court House in Robeson County by the name of Lumberton. Endorsed, read the first time and passed.

Received also a Bill for erecting a Town on the Lands of Tabitha Marriner and John Marriner in the County of Tyrrell, on the West side of Scuppernong River, at the place called and known by the name of Back Landing. Endorsed, read the second time and passed.

Received from the Senate the Memorial of William Delancy. Endorsed, read and referred as by the House of Commons.

Received from the Senate the following Message, to-wit:

Mr. Speaker & Gentlemen:

We agree to the address by you proposed to be presented His Excellency the Governor, informing him of his late appointment, &c., and have appointed Mr. Blount and Mr. Harvey, on the part of the Senate, to attend and present him with the same.

Ordered that Mr. Cabarrus and Mr. Steele be appointed on the part of this House to attend His Excellency the Governor, with the address above alluded to.

Received from the Senate the following Messages:

Mr. Speaker & Gentlemen:

Mr. Hunt, Mr. Macon and Mr. Lane, will on the part of the Senate act with the Gentlemen by you named for the purpose of receiving from the Treasurer and burning the Money collected on the Sinking Fund Tax now in his hands.

Mr. Speaker & Gentlemen:

We agree to commit the Bill for amending the Militia Law to the Committee on Indian Affairs as by you proposed.

Mr. Speaker & Gentlemen:

We herewith send you a resolution of the last Assembly, the intentions of which having never been executed, we now propose it shall be submitted to a joint Committee and have appointed on the part of this House, Mr. Lenoir, Mr. Macon, Mr. Jones and Mr. Hill.

Ordered that the following Message be sent to the Senate:

Mr. Speaker & Gentlemen:

The resolution of the last Assembly, the intention of which has not been carried into effect we agree to refer as by you proposed, and have appointed on our part for that purpose, Mr. J. P. Williams, Mr. Hawkins, Mr. Person, Mr. Maclaine, and Mr. McDowall, Senr.

The House adjourned until to-morrow morning 10 o'clock.

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Saturday, 15 November, 1788.

The House met according to adjournment.

Mr. Charles Ward presented a Petition from Duplin County, praying for a second Convention, &c.; which being read, was ordered to lie on the Table.

Mr. Maclaine presented a Petition from Mecklenburg County, praying a Second Convention, &c.; which was ordered to lie on the Table.

Mr. Baker presented a Petition from Hertford County, praying a second Convention, &c.; which was ordered to lie on the Table.

Received from the Senate the report of the Committee on the Memorial of William Wootten and Henry Bradford. Endorsed, read and Concurred with.

The Order of the Day for taking under Consideration the several Petitions laid before this Assembly, praying that a second Convention be Convened for the purpose of taking under Consideration the Constitution or plan of Government proposed for the future Government of the United States of America, being called for and read,

Resolved, That the House Resolve itself into a Committee of the whole House to take under Consideration the propriety of Convening a second Convention. The House Resolved itself into a Committee of the whole House accordingly and chose Mr. Mebane Chairman. After some time spent therein Mr. Speaker resumed the Chair and Mr. Chairman reported that the Committee had taken under Consid-

eration the propriety of Convening a second Convention to take under further Consideration the proposed Constitution or form of Government for the United States of America and had come to the following resolution thereupon, to-wit:

Resolved, That it is the opinion of the Committee that it is not now expedient to call a new Convention.

The House taking this resolution into Consideration Concurred therewith.

On the question to concur with this resolution, the Yeas and Nays were required by Mr. W. T. Lewis and seconded by Mr. E. Jones, which are as follows:

Yeas:—Messrs. Brown of Bladen, Cain, Cains, McDowall, McDowall, Jun., Nixon, J. Allen, B. Douglass, Graves, Anderson, Jo. Stewart, Hardiman, Killebrew, J. Hill, B. Davis, Mitchell, Hamilton, Gowdy, J. Jones, Randal, J. H. Bryan, Ussory, J. Douglass, Bonds, Mebane, Yates, Moye, Porter, Bethell, Phillips, Jas. Stewart, Blair, Hawkins, Montfort, Brown of Wilkes, Herndon, Sanders, Hinton, Handley, Branch, Tatom, Vick, Knox, Lindley, Person, Holmes, Martin, W. King, Lennard, Lanier, Carson, Devane, Mears, Maxwell, Scott.—55.

Nays:—Messrs. Horn, Pugh, Sheppard, Cabarrus, Fulford, Creecy, J. P. Williams, G. Dauge, Grove, P. Dauge, Sawyer, McKay, Baker, W. Ward, J. Bryan, Maclaine, W. Williams, Slade, Tindall, Phifer, Grant, Everagin, D. Davis, Skinner, Harvey, Bell, Caldwell, Barnes, N. Brown, Houser, W. T. Lewis, Walton, Clendenning, Spruill, G. Davis, Cumming, E. Jones, Steele, Lassiter, M. King, E. Williams, May, Withrow, H. Hill, Hardin, Outlaw, J. Moore. —47.

Received from the Senate a Bill to impower the Courts of Pleas and Quarter Sessions in the several Counties to levy a Tax on the Inhabitants thereof for the purpose of erecting or repairing the Court House, Prison and Stocks therein, when necessary; and

A Bill to emancipate a certain Negro Slave named Phillis, late the property of George Jacobs of the Town of Wilmington. Endorsed, read the first time and passed.

Mr. McDowall, Jun., moved for leave and presented a Bill to suppress settling in the Counties therein mentioned; which was read the first time, passed and sent to the Senate.

Mr. Cabarrus moved for leave and presented a Bill to establish a

new mode for the tryal of Slaves for Capital offences; which was read the first time, passed & sent to the Senate.

Mr. Mebane presented the Petition of Samuel Mearly, which being read, was referred to the Committee of Propositions and Grievances and Sent to the Senate.

Mr. Hardiman presented the resignation of James Roberson one of the Justices of the Peace for Davidson County, which being read, was accepted by this House and sent to the Senate.

Mr. McDowall presented the Petition of James Brittain of Burke County, which being read, was referred to the Committee of Propositions and Grievances and sent to the Senate.

Received from the Senate the Petition and claim of Niel McLean. Endorsed, read and referred to the Committee of Claims; which being read was referred as by the Senate and returned.

Mr. Cabarrus moved for leave and presented a Bill to impower the Courts of Pleas and Quarter Sessions in the several Counties to levy a Tax on the Inhabitants thereof, for the purpose of erecting or repairing the Court House, Prison and Stocks therein, when necessary; Which was read the first time, passed and sent to the Senate.

Received from the Senate a Bill to repeal part of an Act, intituled "an Act for the better regulation of the Town of Halifax and extending the liberties thereof, and for altering the mode of laying and levying Taxes in the Town of Edenton." Endorsed, read the third time and passed.

Received also a Bill to repeal two Acts of the General Assembly of this State, one passed at New Bern in November, 1784, intituled "an Act to describe and ascertain such persons who owe allegiance to this State, and impose certain disqualifications on certain persons therein described;" the other passed at New Bern in the year 1785 intituled "an Act to amend an Act passed at New Bern in November, 1784, intitled "an Act to describe and ascertain such persons who owe allegiance to this State, and to impose certain disqualifications on certain persons therein described." Endorsed, read the Second time and passed.

Received from His Excellency the Governor, the following Message:

To the Honourable the General Assembly:

Gentlemen:

In pursuance of your Message of yesterday informing me that the

General Assembly had done me the honor to re-elect me Governor of the State for the ensuing year, I will do myself the honor to attend you in the room where the House of Commons sit at 12 O'clock on Tuesday next, in order to take the Oaths of qualification to that office.

Permit to acknowledge the high estimation in which I hold the great Honor which you have done me on this occasion, and to assure you that my utmost diligence and attention shall be exerted to discharge the important duties of the Department in which you have been pleased to continue me.

SAML. JOHNSTON.

Fayetteville, 11 November, 1788.

Ordered that the above Message be sent to the Senate.

Received from the Senate a Bill to alter the name of Port Brunswick to that of Port Wilmington. Endorsed, read the second time, amended and passed.

Received from the Senate the resignation of William Treadgill, Nathan Morris and James Boggan. Endorsed, read & accepted.

Received from the Senate the Memorial of Travis Harper & Edward Tinker. Endorsed, read and referred as by the House of Commons.

Received also the Petition of Sundry Inhabitants of French Broad river. Endorsed, read and referred as by the House of Commons.

Ordered that Mr. Chesson have leave to absent himself from the service of this House.

The House adjourned until Monday Morning 10 O'clock.

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Monday, 17 November, 1788.

The House met according to adjournment.

Mr. Knox presented the Petition of Howel Edmunds & others, Commissioners appointed to lay out a Town at Figures's Point, praying, &c.; which being read Mr. Knox moved for leave and presented a Bill to amend an Act intituled "an Act to erect a Town on the Lands of Matthew Figures in Northampton County;" which was read the first time, passed and sent to the Senate.

Mr. Mebane presented the Report of the Commissioners of Confiscated Property for the District of Hillsborough; which being read, was referred to the Committee on the Representation of the Public Printer & sent to the Senate.

The Committee to whom the Petition of Henry Montfort was referred, setting forth that Robert Reid, for himself and Company, Merchants, signed and executed a certain note promising to pay to Edward Hall the sum of one hundred and thirteen pounds with lawful interest till paid, and that by proper assignment the said note became payable to Joseph Montfort, deceased, Father of the said Petitioner, Reported,

That by an Act of the General Assembly the property of the said Robert Reid and Company became confiscated and forfeited to the State, that a part thereof was sold to satisfy an execution obtained against the same, and the over plus of Money, one hundred and ninety-three pounds and ten pence, deposited in the Treasury as the property of the State, as appears by the Treasurer's Certificate herewith presented. Your Committee therefore beg leave to recommend that a resolution be passed directing the Treasurer to pay to the said Henry Montfort one Hundred and Thirteen pounds, the principal, and fifty-five pounds Eighteen Shillings and Six pence Interest, making in the whole one hundred and Sixty-eight pounds Eighteen Shillings and Six pence; which is submitted.

THOMAS PERSON, Ch'n.

The House taking this report into Consideration Concurred therewith; whereupon,

Resolvd, That the Public Treasurer be and he is hereby directed to pay unto Henry Montfort, Esquire, the Sum of One Hundred and Sixty-Eight pounds Currency, and for which he shall be allowed in the settlement of his accounts.

Mr. McDowall moved for leave and presented a Bill to amend an Act passed in the year 1783, intituled "an Act to vest certain lands in fee simple in Richard Henderson and others; which was read the first time, passed and sent to the Senate.

Mr. Cumming moved for leave and presented a Bill to amend an Act to prevent Domestick Insurrections; which was read the first time, passed and sent to the Senate.

Mr. E. Jones moved for leave and presented a Bill for the better ascertaining the Taxable property in the Town of Wilmington, and collecting the Public Taxes which may be imposed thereon, and for the further regulation of the said Town, and also for repairing the Episcopal Church of Saint James, situated therein; which was read the first time, passed and sent to the Senate.

Mr. Steele presented the Petitions of James Kerr, one as Administrator on the Estate of Gilbreath Falls, praying that the General Assembly would authorize the present Treasurer to make a settlement with him as administrator aforesaid. The other praying an allowance for sundries furnished for the use of the late Continental Army; which being read, were referred to the Commitee of Propositions and Grievances & sent to the Senate.

Received from His Excellency the Governor, the following Message:

To the Honourable the General Assembly:

Gentlemen:

I submit to your consideration a Letter from Mr. Murphree, Commissioner for the Sale of Confiscated property in the District of Edenton, and all sundry papers sent to me by the Commissioner for purchasing Tobacco in the District of Halifax, containing a state of His transaction in that Department.

SAML. JOHNSTON.

At the same time received the Letter and papers above referred to, which being read was referred to the Committee on Revenue and sent to the Senate.

The Bill to repeal part of an Act, intituled "an Act for the better regulation of the Town of Halifax and extending the liberties thereof, and for altering the mode of laying and levying Taxes in the Town of Edenton;" was read the third time, passed and ordered to be Engrossed.

Received from the Senate a Bill once more to extend an Act intitled "an Act to pardon and Consign to oblivion the offences and misconduct of certain persons in the Counties of Washington, Sullivan, Greene and Hawkins." Endorsed, read the second time and passed.

Received also a Bill to annex part of the County of Carteret to the County of Jones. Endorsed, read the third time and passed.

Resolved, That no Bill of a private nature be received in the General Assembly after Thursday next.

The Bill to repeal part of an Act passed at Tarborough in November Session, 1787, intitled "an Act to regulate the Inspection of Tobacco in this State;" was read and laid over until the next Assembly.

Mr. Hinton moved for leave to withdraw for amendment the Bill

to amend an Act intitled "an Act to direct the method of appointing Jurors and Surveyors to run out disputed Lands." Ordered that he have leave accordingly.

Received from the Senate A Bill for levying a Tax for the support of Government, and for the redemption of the old paper Currency, Continental Money and Specie and other Certificates, and for sinking the State Currency; and

A Bill ceding to the Congress of the United States certain Western Lands therein described, and authorizing the Governor of this State to execute a Deed or Deeds for the same. Endorsed, read the first time and passed.

Received also the resignation of James Robertson. Endorsed, in Senate, read and accepted.

The Bill to confirm the rights and titles of several Citizens of this State in certain Negroes therein described, and preventing unjust and vexatious Law Suits, was read the second time, passed and sent to the Senate.

The Bill to continue an Act passed at Tarborough December, 1787, intitled "an Act for fixing the final settlement of unliquidated claims against this State and against the United States within this State," was read the third time, passed and ordered to be Engrossed.

Mr. W. B. Grove presented the Petition of Sundry of the Inhabitants of Bladen County, praying that a part of the said County be added to Cumberland County, which being read, Mr. Grove moved for leave and presented a Bill for adding part of Bladen to Cumberland County; which was read the first time, passed and sent to the Senate.

Mr. E. Jones moved for leave to withdraw for amendment the Bill to amend an Act entitled "an Act directing the method of Electing members of the General Assembly, and more fully explaining the disqualifying clauses in the Constitution." Ordered that he have leave accordingly.

The Bill to repeal two Acts of the General Assembly of this State, one passed at New Bern in November, 1784, intitled "an Act to describe and ascertain such persons who owe allegiance to this State, and impose certain disqualification on certain persons therein described;" the other passed at New Bern in the year 1785, intitled "an Act to amend an Act passed at New Bern in November, 1784, intitled an Act to describe and ascertain such persons who owe alleg-

iance to this State and to impose certain disqualifications on certain persons therein described," was read the Second time, and laid over until the next General Assembly.

The Bill for dividing the County of Washington was read the Second time, passed and sent to the Senate.

Mr. Maxwell moved for leave and presented a Bill to amend an Act entitled "an Act for appointing the place of holding Courts of Pleas and Quarter Sessions in the County of Sullivan," passed at Fayetteville, 1786, which was read the first time, passed and sent to the Senate.

The Bill Ceding to the Congress of the United States certain Western Lands therein described, and authorizing the Governor of this State to execute a Deed or Deeds for the same, was read for the first time, passed and sent to the Senate.

Ordered that the following Message be sent to the Senate:

Mr. Speaker & Gentlemen:

We propose that seven members of any of the Committees, except that on revenue, be considered a quorum to proceed on business.

The Bill for levying a Tax for the support of Government, and for the redemption of the old Paper Currency, Continental Money, and Specie and other Certificates, and for sinking the State Currency, was read the first time, passed and sent to the Senate.

Mr. Cabarrus presented the Petition of Jesse Bryan, which being read, was referred to the Committee of Claims and sent to the Senate.

The Committee to whom was referred the Petition of William Scott, Reported,

That Samuel Scott, in the year 1753 obtained a Grant from Lord Granville's office for six hundred and forty acres of Land, which said Land is now possessed by William Scott son of the said Samuel Scott, that the said tract of land was intended to be a square of eighty chains each way, but through mistake of the surveyor the plot returned specifies such courses and distances as will only secure to the said William Scott about three hundred and sixty acres of Land in lieu of the quantity mentioned in the original Grant. The courses mentioned in the original plot are as follows: Beginning at a Water Oak and runs So. 80 chains to a small white and black oak,thence Wt. 80 chains to a Small W. Oak, thence No. with a straight line to the reed fork, crossing the mouth of the Rich Fork, which makes the land in a

triangular form, which your Committee conceive was never intended, but that the courses and distances of the lines of said lands were to be as follows: 1. Beginning at a White Oak Corner to No. 13, running South along that line 320 poles, then No. 320 poles, then East (crossing Reedy Fork twice) 320 Poles to the first station, which courses will include 640 Acres and the very Land intended to be conveyed by Lord Granville to Samuel Scott.

Your Committee are therefore of the opinion that the Grievance of the said William Scott be redressed by passing an Act that he shall hold and possess the land inclusive in the last mentioned Courses, with a provisionary clause that no part of it be claimed by any other person before the passing of such act.

All which is submitted.

W. GOWDY, Ch'n.

The House taking this report into consideration Concurred therewith. Whereupon, Mr. Hamilton moved for leave and presented a Bill to quiet in the possession of William Scott certain Lands therein described; which was read the first time, passed and sent to the Senate.

The House adjourned till To-morrow Morning 9 O'clock.

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THURSDAY, 18 November, 1788.

The House met according to adjournment.

Mr. Cabarrus, who had leave to withdraw for amendment the Bill to amend an Act intitled "an Act for hiring out persons convicted on Indictment or presentment, not being able or willing to pay the fees of office and Gaolers fees," delivered in the same with the amendments.

Mr. King presented the Petition of sundry of the Inhabitants of Hawkins County, praying a division thereof; which being read, Mr. King moved for leave and presented a Bill agreeable to the prayer thereof, which was read the first time, passed and sent to the Senate.

Mr. Goodorom Davis presented the Petition of Sundry Inhabitants of the County and Town of Halifax, praying that a Convention be recommended to take under further Consideration the Federal Constitution; which was read, & ordered to lie on the Table.

Mr. Dickson presented the Petition of Elisabeth Fussel, which

being read, was referred to the Committee of Propositions and Grievances and sent to the Senate.

Mr. Maxwell presented the Petition of Sundry of the Inhabitants of Washington, praying, &c.; which being read, Mr. Maxwell moved for leave and presented a Bill to annex part of the County of Washington to Sullivan, which was read the first time, passed & sent to the Senate.

Mr. Maclaine presented the Memorial of James Simpson, which being read, was referred to Mr. Phifer, Mr. Parton, Mr. Caldwell & Mr. Maclaine, on the part of this House. and sent to the Senate.

Mr. Porter moved for leave and presented a Bill to amend an Act intitled "an Act to amend an Act passed at Fayetteville in November, 1776, entitled an Act to amend an Act passed at New Bern in December, 1785, entitled an Act for increasing the Jurisdiction of the County Courts of Pleas and Quarter Sessions, and of the Justices of the Peace out of Court and directing the time of holding Courts in this State;" which was read the first time, passed and sent to the Senate.

Received from the Senate the Memorial of James Glasgow. Endorsed, read and referred to the Committee on the Petition of Mr. John Stewart; which being read, was referred as by the Senate.

Received also the Petition of John Stewart. Endorsed, read and referred on the part of the Senate to Mr. W. Hill, Mr. Blount & Mr. Brown; which being read, was referred to Mr. Hawkins, Mr. Hill and Mr. Ward, and returned.

Received from the Senate the report of the Committee on the Petition of Charles Markland and John Herritage, Concurred with by that House; which being read, was Concurred with by this House and returned.

The Bill to annex part of the County of Carteret to the County of Jones, was read the third time, passed and ordered to be Engrossed.

Received from the Senate the Report of the Commitee on the Memorial of Hodge and Willis, Concurred with by that House; which being read, was concurred with by this House and returned.

Received from the Senate the Petition of Thomas Brown of Bladen County. Endorsed, read and referred to Mr. Caswell, Mr. Bloodworth & Mr. Blount; which being read, was referred on the part of this House, to Mr. Steele, Mr. McDowall, Mr. Jones & Mr. J. P. Williams.

Received from the Senate a resolution of that House for suspending John Cox of Moore, from executing the office of a Justice of the Peace, &c.; which being read was Concurred with and returned.

Received from the Senate the Petition of Joseph Leech. Endorsed, read and referred to Mr. Stewart, Mr. Jones and Mr. C. Johnston; which being read was referred on the part of this House to Mr. McDowall, Mr. Hawkins, Mr. Grove, Mr. Jones & Mr. Person.

Received from the Senate the following Message:

Mr. Speaker & Gentlemen:

The subject matter of a resolution of this House herewith sent you we propose shall be immediatelly reported on by a joint Committee, and have appointed for this purpose on our part, Mr. McDowall, Mr. Jones and Mr. Ben. Williams.

At the same time received the resolution referred to in the foregoing Message, which being read was Concurred with; whereupon the following Message was ordered to be sent to the Senate:

Mr. Speaker & Gentlemen:

We have appointed Mr. Outlaw, Mr. McDowall, Mr. Cabarrus, Mr. Person and Mr. Phifer to act with the Gentlemen by you appointed to confer with Mr. Drumgoole on the propriety of sending a Talk to certain Indian Tribes, &c.

The Bill to alter the name of Port Brunswick to that of Port Wilmington, was read the third time, passed and sent to the Senate

Mr. Grove presented the Petition and Claim of Duncan Buie, which being read, was rejected for want of proper vouchers to support the justness thereof.

The Bill to amend an Act intitled "an Act for the more regular collecting, payment of and accounting for the public Tax," was read the first time, passed and sent to the Senate.

The Bill for the recovery of Debts according to contract, was read the first time & laid over until the next Assembly.

Ordered that the following Message be sent to the Senate:

Mr. Speaker & Gentlemen:

This being the day which His Excellency the Governor, was requested to attend the General Assembly in order to qualify to his late appointment, we propose that two Members from each House be appointed to attend and conduct him to the place already appointed for

his reception; we have for this purpose appointed Mr. Cabarrus and Mr. Steele.

The Bill to annex part of Bladen to Robeson County, and to amend an Act entitled "an Act to divide the County of Bladen," was read the third time, passed and ordered to be Engrossed.

The Bill to emancipate a certain Negro Slave named Phillis, late the property of George Jacobs of the Town of Wilmington, deceased; was read the first time, passed and sent to the Senate.

The Bill for erecting a Town on the Lands of Tabitha Marriner in the County of Tyrrell on the West side of Scuppernong river, at the place called and known by the name of Back Landing, was read the third time, passed and sent to the Senate.

Received from the Senate the report of the Committee on the Petition of Henry Montfort, and the Resolution of this House in consequence thereof, directing the Treasurer to pay him a certain sum therein mentioned, Concurred with.

Received from the Senate the Petition of James Kerr, Samuel Marley and Jesse Bryan. Severally endorsed, read and referred as by the House of Commons.

The Bill to appoint Commissioners to superintend the building a Prison and Stocks for the District of Fayetteville, and to levy a Tax on the Counties within the said District for defraying the expences thereof; was read the Second time, passed and sent to the Senate.

The Bill to annex part of Brunswick County to the County of New Hanover, was read the second time, passed and sent to the Senate.

The Bill impowering Thomas Johnson late Sheriff of Onslow County, his Heirs, Executors and Administrators, to collect the Sinking fund Tax due from his County for the year 1786, and for giving him or them a longer time for collecting and settling the same, was read the Second time, passed and sent to the Senate.

The Bill to establish a Town already laid off at the Court House in Robeson County by the name of Lumberton, was read the first time, passed and sent to the Senate.

Received from the Senate the Petition of John Coleson. Endorsed, In Senate, read and referred to the Committee of Propositions and Grievances; which being read, was referred as by the Senate and returned.

Received also, the Petition of Thomas Pitt & Henry Hill. En-

dorsed, read and referred to the Committee on the Petition of Joseph Leech; which being read, was referred as by the Senate and returned.

Received from the Senate the following Message:

Mr. Speaker & Gentlemen:

We agree that seven Members shall constitute a quorum for the transaction of business in any of the Committees, that on revenue excepted, as by you proposed.

Received from the Senate the Report of the Commissioner of Confiscated property of Hillsborough District. Endorsed, read and referred as by the House of Commons.

Received from the Senate a Bill to carry into effect the Ordinance of the Constitution held at Hillsborough in July, 1788, intitled "an Ordinance for establishing a place for holding the future meetings of the General Assembly, and the place of residence of the Chief Officers of the State." Endorsed, read the second time, amended and passed.

Received from the Senate the following Message:

Mr. Speaker & Gentlemen:

Mr. Blount and Mr. Williams will, on the part of this House, attend and conduct His Excellency into the presence of the General Assembly.

Received from the Senate the Petition of James Brittain. Endorsed, read and referred as by the House of Commons.

Mr. Person moved for leave and presented a Bill for amending an Act for establishing Courts of Law, and for regulating the proceedings therein, and another act entitled "an Act for giving an Equity Jurisdiction to the Superior Courts;" which was read the first time, passed and sent to the Senate.

Received from the Senate a Bill for impowering the Navigation of Albemarle Sound. Endorsed, read the first time & passed.

Received from the Senate the Resolve of this House declaring that no Bill of a private nature shall be received after Thursday next, Concurred with.

Received from the Senate the following Message:

Mr. Speaker & Gentlemen:

We propose that the General Assembly proceed to ballot To-morrow evening at 4 O'clock for a public Treasurer, and the place at which the next Assembly shall be held; we nominate for Treasurer John

Haywood, Esquire. For the place at which the next Assembly shall be held the Towns of Warrenton, Fayetteville, Hillsborough, New Bern and Tarborough.

Ordered that the following Message be sent to the Senate:

Mr. Speaker & Gentlemen:

We agree that a Public Treasurer be balloted for at the time by you proposed, but do not agree to ballot at the same time for the place at which the next Assembly shall be held, and propose that business be postponed until Saturday, the 29th Instant.

The Senate and Commons, according to order, assembled in Conference, the Speaker and Members being seated, the Gentlemen appointed by both Houses to attend His Excellency the Governor, and conduct him to the place appointed for his reception, accordingly attended and conducted him to the room where the House of Commons Sit, who then and there, in the presence of the General Assembly, qualified as Governor, by taking the Oath of Allegiance, and also an Oath of office.

Ordered that the following Bills be read for the third reading in this House to-morrow, to-wit:

A Bill once more to extend an Act intitled "an Act to pardon & consign to oblivion the offences and misconduct of certain persons in the Counties of Washington, Sullivan, Greene and Hawkins;"

A Bill to carry into effect the Ordinance of the Convention, &c.;

A Supplementary Bill to an Act concerning proving Wills and granting Letters of Administration, &c.

The Committee, to whom the Petition of Stephen Hyde was referred, setting forth that about twelve years ago he intermarried with Susanna Fanning daughter of John Colson, that in consequence of such marriage the said Colson gave him a tract of Land in Anson County Containing 650 Acres and which he possessed until the year 1786, when Charles Bruce, Esquire, Commissioner of Confiscated property for the district of Salisbury advertised and sold the said 650 Acres of Land as the Property of said Colson; Reported,

That as the aforesaid Land was sold by a legal officer and agreeable to Law, it is the opinion of your Committee it cannot with propriety be restored to the said Hyde; but beg leave to recommend that the Comptroller be directed to issue a Certificate to him to the full amount

the said Land sold for, properly chequed and numbered, to be of equal value of Audited Certificates.

All which is submitted.

THOMAS PERSON, Ch'n.

The House taking this Report into Consideration Concurred therewith.

The Committee to whom the Petition of the executors of Arthur Brown, deceased, formerly Sheriff of Bertie County, was referred, Reported,

That as no documents or other papers were adduced to your Committee to elucidate or in any manner establish the legality or equity of the Claim of the said Petition, they are therefore of opinion that it ought to be rejected.

All which is submited.

THOMAS PERSON, Ch'n.

The House taking this report into consideration Concurred therewith.

The Committee, to whom the Memorial of Andrew Bass was referred, delivered in a report, which being read, was rejected.

The Committee, to whom the Petition of Charles Dixon was referred, Reported,

That it appears by the Petition of the said Dixon an Indictment for a misdemeanor is now hanging over him in the Superior Court for the District of Hillsborough.

Your Committee therefore Conceive it would be improper to grant a pardon to the said Charles Dixon before any conviction be had on the Indictment, and beg leave to recommend that the Petition be rejected.

All which is submitted.

THOMAS PERSON, Ch'n.

The House taking this report into consideration Concurred therewith.

The House adjourned until To-morrow Morning 10 O'clock.

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WEDNESDAY, 19 November, 1788.

The House met according to adjournment.

Received from the Senate the Message from His Excellency the

Governor, the return of the purchase of Tobacco by the Commissioner of Tarborough & the letter from Hardy Murfree, Commissioner of Confiscation for Edenton district. Endorsed, read and referred as by the House of Commons.

Received from the Senate a Bill to encourage the drainage and recovering a tract of Land in Tyrrell County. Endorsed, read the first time and passed.

Received also, a Bill for dividing the County of Davidson. Endorsed, read the second time and passed.

A resolution adopted by the Senate recommending another Convention to take under further Consideration the proposed Constitution, & sent to this House for Concurrence; in the resolution as it came from the Senate the number of Members recommended to be Elected for each County was *three,* a motion was made and seconded that the word *three* should be struck out and the word *five* inserted; this motion was objected to, the question being put was carried in the affirmative; whereupon, the Yeas and Nays were required by Mr. Phifer and Seconded by Mr. Lindley, which are as follows:

Yeas:—Messrs. J. Brown, Cain, Horn, Pugh, McDowall, Cabarrus, Grove, McKay, B. Douglass, Graves, Jo. Stewart, Dixon, C. Ward, E. Robertson, J. Hill, B. Harris, E. Mitchell, Hamilton, Gowdy, J. Jones, W. Williams, Ussory, J. Douglass, Bond, Mebane, Yates, Grant, Wood, Caldwell, Philips, N. Brown, W. T. Lewis, Spruill, J. H. Bryan, Hawkins, Montfort, Brown of Wilkes, Herndon, Branch, Tatom, Cumming, E. Jones, Vick, Person, Martin, M. King, Lennard, Lanier, Withrow, J. P. Williams, Devane, Scott, T. King, Hardin, Outlaw, W. King.—56.

Nays:—Messrs. McDowall, Jun., Nixon, J. Allen, Fulford, Creecy, T. P. Williams, G. Dauge, P. Dauge, Sawyer, Hardiman, Fort, Killebrew, Baker, W. Ward, J. Bryan, Moore, Maclaine, Slade, Tindale, Phifer, Everagin, D. Davis, Skinner, Harvey, May, S. Allen, Bell, Porter, Barnes, Houser, Walton, Clendenning, Blair, Jas. Stewart, Hinton, Sanders, Handley, G. Davis, Knox, Steele, Lindley, Holmes, Lassiter, E. Williams, Moy, Carson, H. Hill, Maxwell.—48.

Ordered that the following Message be sent to the Senate:

Mr. Speaker & Gentlemen:

We have received the Message of your House accompanied by sun-

dry resolutions, recommending to the people of this State to elect members in another Convention, &c.; with which we do not concur as it now stands. We therfore propose the following amendments, to-wit: That the first resolution be amended to read thus: "Resolved, That it is the opinion of this House a new Convention for the purpose of reconsidering the new Constitution held out by the Federal Convention as a Government for the United States."

In the second resolution we propose as an amendment, that the number of Persons to be Elected as members for each County be altered from *three* to *five*.

In the fourth we propose as an amendment that the resolution be altered to read "the third Monday in November," instead of the last Monday in October.

Should your House agree to those amendments you will make the resolutions conformable and we will then concur.

Ordered that the Committee have leave to withdraw the Petition and other papers relative thereto.

Mr. McDowall presented the Petition of James Warrenton; which being read, was referred to the Committee of Propositions and Grievances & sent to the Senate.

Mr. Ussory moved for leave and presented a Bill for altering the place for holding the County Courts of Pleas and Quarter Sessions for the County of Montgomery; which was read the first time, passed and sent to the Senate.

Mr. McDowall, Jun., moved for leave and presented a Bill for the relief of persons who may suffer for want of their Grants, Deeds and Mesne Conveyances not being registered within the time heretofore appointed by law; which was read the first time, passed and sent to the Senate.

Mr. Moye presented the Petition of sundry of the Inhabitants of Dobbs County, praying that part of the said County be added to Pitt County; which being read, Mr. Moye moved for leave and presented a Bill for adding part of Dobbs County to Pitt County, which was read the first time, passed and sent to the Senate.

Mr. Grove presented the Memorial of sundry Free Holders and Inhabitants of Fayetteville, praying, &c.; which being read,

Mr. Grove moved for leave and presented a Bill to open a communication between Cape Fear River and upper Fayetteville by mak-

Cross Creek navigable; which was read the first time, passed and sent to the Senate.

Mr. Tatom presented the Petition of David Johnston; which being read, was referred to the Committee of Propositions and Grievances and sent to the Senate.

Resolved, That the present General Assembly proceed to ballot for five persons to represent this State in a Convention of the United States, in case such Convention is appointed for the purpose of amending the Constitution, proposed at Philadelphia the 17th September, 1787.

Resolved, That it be recommended by this Assembly to the Convention which is to meet on the third Monday in November, to reconsider the new Constitution, that they also Consider the propriety of allowing the Town of Fayetteville a member to represent the said Town on the same terms with the other District Towns in this State.

On the question to agree to the last resolution the Yeas and Nays were required by Mr. Person, which are as follows:

Yeas:—Messrs. J. Brown, Cains, McDowall, McDowall, Jun., Grove, McKay, B. Douglass, Anderson, Jo. Stewart, Dixon, Hamilton, Gowdy, W. Ward, Moore, Maclaine, Slade, Ussory, Phifer, Mebane, Wood, Bell, Caldwell, Porter, Bethell, Phillips, Barnes, N. Brown, Houser, W. T. Lewis, Walton, Clendenning, Jas. Stewart, Herndon, E. Jones, Steele, Holmes, Martin, M. King, Lennard, May, Withrow, Carson, Maxwell, Scott, T. King, W. King.—46.

Nays:—Messrs. Horn, Nixon, Cabarrus, Fulford, Creecy, T. P. Williams, G. Dauge, P. Dauge, Sawyer, Graves, E. Roberson, Hardiman, Fort, Killebrew, J. Hill, B. Harris, Mitchell, J. Jones, Baker, J. Bryan, J. H. Bryan, Bonds, Yates, Grant, D. Davis, Skinner, Harvey, Mayo, S. Allen, Spruill, Blair, Hawkins, Hinton, Sanders, Handley, Branch, Cumming, Vick, Knox, Person, H. Hill, Hardin, Outlaw.—43.

Received from the Senate a Bill for cutting a navigable Canal from the Waters of Pasquotank River in this State, to the Waters of Elisabeth River in the State of Virgina. Endorsed, read the second time and passed.

Received also, the following Bills. Endorsed, read the first time and passed, to-wit:

A Bill to quiet Thomas Brown, of Bladen County, Esquire, in his

title to and possession of divers Lands, Tenaments and Hereditaments therein referred to;

A Bill for the recovery of Debts hereafter incurred, according to contract;

A Bill for the relief of Thomas Craike, James Walker, the Executors of John Ancrum and the Administrator of John Forster deceased.

Received from His Excellency the Governor, the following Message:

To the Honourable the General Assembly:

Gentlemen:

I herewith lay before you a letter from the Governor of the Commonwealth of Virginia, with sundry papers referred to in that Letter.

SAML. JOHNSTON.

At the same time received the Letters, &c., above referred to; which being read, were referred to the Committee on Public Bills, & sent to the Senate.

Received from His Excellency the Governor the following Message:

To the Honourable the General Assembly:

Gentlemen:

Permit me to recommend to your particular attention a Letter from the Superintendant of Indian Affairs in the Southern Department, and the papers referred to in that Letter.

SAML. JOHNSTON.

At the same time received the Letter and papers referred to in the above Message; which being read, were referred to the Committee on Indian Affairs and sent to the Senate.

The Committee to whom the Petition of Thomas Donoho and William Sanders praying a remission of their confinement in Hillsborough Gaol, was referred, Reported,

That it is the opinion of your Committee, whenever the said Donoho and Sanders produce to His Excellency the Governor, satisfactory Testimony that they have complied with the sentence of the Court as far as it respects the payment of the fines and all the cost of the prosecution, that he be requested to issue a pardon to the said Donoho and Sanders, remitting the remainder of their Imprisonment absolutely. And your Committee beg leave to recommend that a resolu-

tion be passed requesting the Governor to issue his Pardon Accordingly.

All which is submitted.

THOMAS PERSON, Ch'n.

The House taking this report into consideration concurred therewith; whereupon,

Resolved, That His Excellency the Governor, be requested to issue a pardon to Thomas Donoho and William Sanders, now in the Gaol of Hillsborough District under a Sentence of the Superior Court on Indictment of misdemeanors, pardoning and remitting the remainder of their imprisonment, whenever the said Thomas Donoho and William Sanders shall produce to His Excellency Satisfactory Testimony that they have fully complied with the Sentence of the said Court by paying the fines imposed and all cost accrueing thereon, and given Security agreeably to Law:

Received from the Senate the following Message:

Mr. Speaker & Gentlemen:

We do not concur with your proposition relative to balloting on Saturday the 29th Inst., for the place at which the next Assembly shall be held; neither do we agree to ballot for the Public Treasurer this Evening, but will consent, and propose that this business be entered on To-morrow at 4 O'clock.

We also propose that a Vendue Master for the Town of New Bern, and Judge for the Marine Court at the Town of Washington, be made choice of at the same time, and nominate for Judge, Jonathan Loomass, for Vendue Master John Smallwood and Henry Purse.

Ordered that the following Message be sent to the Senate:

Mr. Speaker & Gentlemen:

We have received the Message of your House proposing to ballot for the several public offices therein mentioned, to-morrow at four O'clock in the afternoon, with which we do not Concur; but propose that the several officers by you mentioned be balloted for on Saturday next at four O'clock in the afternoon.

The House adjourned until To-morrow Morning 10 O'clock.

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THURSDAY, 20th November, 1788.

The House met according to adjournment.

Mr. Carson moved for leave and presented a Bill to alter the man-

ner of holding Election for Members of the General Assembly in Rowan County; which was read the first time, passed and sent to the Senate.

Mr. Bonds presented the Petition of Thomas Viveritt, which being read, was referred to the Committee of Propositions and Grievances and sent to the Senate.

Mr. Cumming moved for leave and presented a Bill to regulate the Town of Edenton, which was read the first time and passed.

Mr. P. Dauge moved for leave and presented A Bill to impower the Wardens of the Poor in the County of Camden to levy a Tax to enable them to settle the arrears due from the said County, which was read the first time & sent to the Senate.

Mr. Cumming moved for leave to withdraw for amendment the Bill to regulate the Town of Edenton. Ordered that he have leave accordingly.

Mr. Randall, who had leave to withdraw for amendment the Bill to annex part of Dobbs County to the County of Jones, delivered in at the Clerks Table the Bill with the amendments.

Mr. Phifer moved for leave and presented a Bill to repeal part of an Act passed at New Bern November, 1785, intituled " an Act for destroying Wolves, Wildcats, Panthers, & Bears, in the several Counties therein mentioned;" which was read the first time, passed and sent to the Senate.

Mr. Porter moved for leave and presented a Bill to extend the line between the Counties of Burke and Rutherford, and to appoint Commissioners to run said line; which was read the first time, passed and sent to the Senate.

Mr. J. Brown moved for leave and presented a Bill to authorize and enable John Coulson to return into this State, and exercise the privileges of a Citizen; which was read the first time, passed and sent to the Senate.

Mr. Maxwell moved for leave and presented a Bill for destroying Wolves, Crows and Squirrels in the Counties therein mentioned; which was read the first time, passed and sent to the Senate.

Received from the Senate a Bill to revive part of an Act intitled "an Act to suppress excessive gaming." Endorsed, read the second time and passed.

Received also the following Bills. Endorsed, read the first time and passed; to-wit:

A Bill to amend an Act entitled "an Act to establish a Superior Court of Law and Equity in the County of Davidson, passed at New Bern in December, 1785";

A Bill for the relief of Persons who have suffered or may suffer by their grants, deeds and mesne Conveyances not being proved and registered within the time heretofore appointed by law, and to grant a further time for registering certain Grants heretofore issued from Lord Granville's office.

Mr. Person presented the Petition of Henry Emanuel Lutterloh, late Colonel in the Continental Army; which being read, Mr. Person moved for leave and presented a Bill to amend the Militia Law, for the establishment of the office of Inspector General of the State, which was read the first time and laid over till the next General Assembly.

Mr. Person moved for leave and presented a Bill for dividing the County of Mecklenburg, which was read the first time, passed and sent to the Senate.

Received from the Senate a resolution of that House directing the Secretary to admit to record a Patent for five hundred Acres of Land granted to Osborn Jeffries, which being read, was concurred with by this House and returned.

Received from the Senate the Petition of William Evans. Endorsed, read and referred to the Committee of Propositions and Grievances; which being read, was referred as by the Senate and returned.

The Committee, to whom was referred the Petition of Jane Spurgin, delivered in a report thereon, which being read was rejected; Whereupon,

Mr. Person moved for leave and presented a Bill to secure and quiet the wives of the Persons therein described in the possession of the Land and property assigned them by the Laws of this State.

Received from the Senate a Resolution of that House for allowing Hodge and Wills, Public Printers, five hundred pounds, &c.; which being read was rejected; whereupon,

Resolved, That His Excellency the Governor, be requested to grant a warrant on the Treasurer for five hundred pounds in favour of Hodge and Wills, Printers to the State, they previously giving bond and sufficient Security as recommended by the report of a Committee on the Memorial of Hodge and Wills, Concurred with the 18th Inst.

Ordered that the folowing Message be sent to the Senate:

Mr. Speaker & Gentlemen:

The resolution of your House allowing Hodge and Wills, public printers, five hundred pounds for the purposes therein expressed, we have thought proper to reject; and now send you for Concurrence a resolution requesting His Excellency the Governor, to grant them a warrant for five hundred pounds on their complying with a report of a Committee therein alluded to.

Mr. Steele presented sundry Petitions from Greene County, which being read, were referred to the Committee on Indian Affairs and sent to the Senate.

Mr. Person presented the Petition of sundry of the Inhabitants of Randolph County, which being read, was referred to the Committee of Propositions and Grievances & sent to the Senate.

Mr. Bethell moved for leave and presented a Bill to revive part of an Act passed at New Bern in the year 1785, intitled "an Act for dividing Guilford County."

Mr. Outlaw moved for leave to withdraw for amendment the Bill once more to extend an Act intitled "an Act to consign to oblivion the offences & misconduct of certain persons in the Counties of Washington, Greene, Sullivan and Hawkins." Ordered that he have leave.

Mr. Lennard presented the Memorial of John Walker, Esquire, of the Town of Wilmington, setting forth that Mr. Edward Jones, one of the sitting members in this House was not entitled to a Seat therein, from a supposition that he was not entitled to Citizenship; which being read, was referred to the Committee of Privileges and Elections.

Received from the Senate the report of the Committee on the Petition of Thomas Donoho and William Sanders, and the resolution of this House in consequence thereof. Endorsed, In Senate, read and Concurred with.

Received also the Message from His Excellency the Governor, with the Letter from the Governor of Virginia and papers therein referred to. Endorsed, read and referred as by the House of Commons.

The Bill to carry into effect the ordinance of the Convention held at Hillsborough in July, 1788, entitled "an Ordinance for establishing a place for holding the future meetings of the General Assembly, & the place of residence of the Chief Officers of the State," was read the Second time; whereupon, a motion was made by Mr. Phifer and Seconded by Mr. Grove, that this Bill lie over until the next General

Assembly, which was objected to. The question being put was carried in the affirmative, whereupon the Yeas and Nays were required by Mr. Cabarrus, and are as follows:

Yeas:—Messrs. J. Brown, Cain, Cains, McDowall, McDowall, Jun., Grove, McKay, B. Douglass, Graves, Anderson, Jo. Stewart, Dixon, Hardiman, Hamilton, Gowdy, Moore, Maclaine, Tindall, Ussory, Phifer, J. Douglass, Mebane, Yates, Grant, Wood, Bell, Caldwell, Porter, Bethell, Phillips, Barnes, N. Brown, Houser, W. T. Lewis, Clendenning, Jas. Stewart, Blair, Brown (Wilkes), Herndon. E. Jones, Lindley, Holmes, W. Martin, M. King, E. Williams, W. King, Lennard, Lanier, May, Withrow, Carson, J. P. Williams, Devane, Maxwell, Scott, Hardin, Steele.—57.

Nays:—Messrs. Horn, Pugh, Nixon, J. Allen, Cabarrus, Fulford, Creecy, T. Pool Williams, G. Dauge, P. Dauge, Sawyer, E. Robertson, Fort, Killebrew, J. Hill, B. Harris, Mitchell, J. Jones, Baker, W. Ward, J. Bryan, Randall, W. Williams, Slade, Bonds, D. Davis, Skinner, Harvey, Moye, S. Allen, Walton, Spruill, Hawkins, Montfort, Hinton, Sanders, Handley, Branch, Tatom, G. Davis, Cumming, Vick, Knox, Person, Lassiter, H. Hill, Outlaw.—47.

Mr. Steele presented the Petition of James Craig, which being read, was referred on the part of this House to Mr. Steele, Mr. Hamilton, Mr. Baker, Mr. Houser, & Mr. Phifer and sent to the Senate.

Mr. E. Jones moved for leave and presented a Bill to amend an Act entitled "an Act for the promotion of learning in the district of Wilmington."

Mr. Lassiter moved for leave and presented a Bill to amend the several Acts of Assembly to prevent dealing and trafficing with slaves.

Mr. Cumming moved for leave and presented a Bill to amend an Act to prevent the exportation of unmerchantable Commodities.

The Committee to whom the Petition of John Williams, eldest surviving son of James Williams of South Carolina, deceased, was referred, Reported,

That by a resolution of the General Assembly passed at Hillsborough 1780, the said Petitioners father, James Williams, was authorized to draw the Sum of Twenty-five Thousand Dollars from the Treasury of this State, conditioned that the Money should be applied in raising Troops for the defence of this State, then invaded by the British Army. That your Committee are induced to believe the Money was applied to that particular business as he was soon after the

reception thereof seen in action at King's Mountain, at the head of three or four hundred men, where he gloriously fell.

Your Committee therefore beg leave to recommend that a Resolution be passed, releasing and acquitting the said James Williams, his Heirs, Executors and Administrators from the aforesaid draft.

Which is submitted.

THOMAS PERSON, Ch'n.

The House taking this Report into Consideration Concurred therewith; whereupon,

Resolved, That the Estate of James Williams, Esquire, deceased, late of the State of South Carolina, be released and acquitted from the payment of Twenty-five Thousand Dollars advanced to the said deceased in his lifetime by this State, for the purpose of raising men for the defense of this & the United States, it having been manifest to this Assembly, that he was in action at the battle of King's Mountain, where he headed three or four hundred men, and in which action he gloriously fell a sacrifice to liberty.

The Committee to whom the Petition of Robert Linn, Commissary, praying a releasement of a balance of Sixty-four pounds five Shillings owing to the State on a settlement with the Auditors, Reported,

That no voucher being produced to the Committee establishing any fraud in the said settlement, they presume the said Robert Linn stands justly indebted to the State the above Sum of Sixty-four pounds five shillings Currency; they therefore beg to recommend that the said Petition be rejected.

Which is submitted.

THOMAS PERSON, Ch'n.

The House taking this report into consideration Concurred therewith.

The House adjourned until To-morrow Morning 10 O'clock.

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FRIDAY, 21 November, 1788.

The House met according to adjournment.

Received from the Senate the following Reports, Concurred with by that House, to-wit:

On the Petition of the Executors of Arthur Brown;

On the Petition of Stephen Hyde & on the Petition of Charles Dixon.

Received also the following Message:

Mr. Speaker & Gentlemen:

The resolution of your House in favor of Hodge and Wills, Public Printers, we return you Concurred with.

At the same time received the resolution above referred to, concurred with.

Received from the Senate the following Bills. Endorsed, read the first time and passed, to-wit:

A Bill to annex part of the County of Washington to Sullivan;

A Bill to amend an Act passed in the year 1783, intitled "an Act to vest certain lands in fee simple in Richard Henderson & others."

A Bill to impower the Wardens of the poor for the County of Camden to lay a Tax to enable them to settle the arrears due from the said County;

A Bill to alter the manner of holding Elections for Members of the General Assembly in Rowan County;

A Bill for the dividing the County of Hawkins;

A Bill to repeal part of an Act passed at New Bern, November 1785, intitled "an Act for destroying wolves, wildcats, Panthers, Bears," &c., in the several counties therein mentioned;

A Bill to invest Thomas Maples, Jun., his Heirs and assigns, for ever with a title in fee simple to a certain tract of Land;

A Bill for the regulation of Edenton Ferry;

A Bill to repeal part of an Act intitled "an Act to alter the mode of punishing horse stealing," and also to repeal an Act to prevent Horse-Stealing;

A Bill to enable John Crawford late Sheriff of Anson County, to collect the arrearages of taxes for the year 1779;

A Bill to open a Communication between Cape Fear River and upper Fayetteville by making Cross Creek navigable;

A Bill to direct in what manner the Members of the General Assembly shall be paid for their services and attendance in future;

A Bill to amend an Act intitled "an Act to prevent domestic insurrections;"

A Bill for the better ascertaining the taxable property in the Town of Wilmington & collecting the public taxes and other taxes which may be imposed thereon, and for the further regulation of the said town; and also for repairing the Episcopal Church of Saint James situated therein.

Received from the Senate the Petitions of Thomas Viverett, David Johnston, The Inhabitants of Randolph County & the Petitions from Greene County. Severally endorsed, read and referred as by the House of Commons.

Mr. Outlaw, who had leave to withdraw for amendment the Bill once more to extend an Act intiled "an Act to pardon and consign to oblivion the offences & misconduct of certain persons in the Counties of Washington, Greene, Sullivan and Hawkins;" delivered in at the Clerks Table the Bill with the amendments; whereupon, this Bill was read the second time, amended, passed and sent to the Senate.

On the question shall this Bill pass or not pass, the Yeas & Nays were required by Mr. W. T. Lewis, which are as follows:

Yeas:—Messrs. Horn, Pugh, Cains, Cabarrus, G. Dauge, P. Dauge, Sawyer, B. Douglass, Graves, Anderson, E. Robertson, Killebrew, J. Hill, J. Jones, Baker, W. Ward, W. Williams, Slade, Phifer, J. Douglass, Bonds, D. Davis, Moye, S. Allen, Wood, Porter, Barnes, N. Brown, Houser, W. T. Lewis, Walton, Clendenning, Montfort, Hinton, Sanders, Branch, Tatom, G. Davis, Cumming, E. Jones, Vick, Holmes, Lassiter, W. King, Lanier, Withrow, H. Hill, J. P. Williams, Devane, T. King, Hardin, Outlaw.—52.

Nays:—Messrs. J. Brown, Cain, McDowall, McDowall, Jun., Fulford, T. Pool Williams, Grove, McKay, Hamilton, Gowdy, Moore, Maclaine, Tindall, Ussory, Mebane, Yates, Grant, Everagin, Skinner, Harvey, Bell, Caldwell, Spruill, Jas. Stewart, Blair, Hawkins, Brown (Wilkes), Knox, Person, Lennard, Carson, Maxwell, Scott.—33.

Received from the Senate the following Bills. Endorsed, read the first time & passed; to-wit:

A Bill to amend an Act intitled "an Act for appointing the place of holding Courts of Pleas and Quarter Sessions in the County of Sullivan;" &c.;

A Bill to impower the Courts of Pleas & Quarter Sessions in the several Counties to levy a Tax on the Inhabitants thereof for the purpose of erecting or repairing the Court House, Prison and Stocks therein, when necessary.

A Bill to amend an Act intitled "an Act to erect a Town on the Land of Matthew Figures," &c.;

A Bill to extend the Line between the Counties of Burke and Rutherford, &c.;

A Bill to suppress settling, &c.;

A Bill to establish a new mode of tryal of Slaves for Capital offences;

A Bill to quiet in the possession of William Scott certain Lands, &c.

Received from the Senate the report of the Committee on the Memorial of Thomas Brown. Endorsed, read and concurred with; which being read, was concured with by this House and returned.

The Bill to quiet Thomas Brown, of Bladen County, Esquire, in his title to and possession of divers Lands, Tenements and Hereditaments therein referred to, was read the first time, passed and sent to the Senate.

Received from the Senate the following Bills. Endorsed, read the second time and paseed; to-wit:

A Bill to appoint Commissioners to superintend the building a Prison & Stocks for the District of Fayetteville, &c.;

A Bill to amend an Act intitled "an Act for the regulation of the Town of Hillsborough;"

A Bill impowering Thomas Johnston late Sheriff of Onslow County, his heirs, Executors, and Administrators, to collect the Sinking Fund Tax, &c.

Received from the Senate the report of the Committee on the Memorial of John Williams, the eldest surviving son of James Williams, late of South Carolina, dec'd; and the resolution of this House in consequence thereof, Concurred with by that House.

Received also, the Petition of James Craig. Endorsed, In Sen- read and referred to Mr. Bryan, Mr. Lenoir & Mr. Armstrong.

The Committee, appointed to confer with Mr. Drumgoole, Reported,

That Mr. Drumgoole is willing to wait some days until the General Assembly shall come to some determination on the subject of Indian Affairs, and to carry any Talk or Talks, which they may think proper to send to the Cherokees, Chickamawgaws or Creeks; provided the Assembly will make a reasonable allowance for his delay while here.

Mr. Drumgoole has a Wagon and five Horses in Town and three persons to maintain, therefore your Committee are of opinion that Mr. Drumgole be allowed the Sum of four pounds per day while he

remains here waiting the orders of the Assembly, commencing the 17th day of November.

THOMAS PERSON, Ch'n.

The House taking this report into consideration Concurred therewith.

Mr. McDowall, Jun., moved for leave and presented a Bill to encourage the building of Iron Works in this State; which was read the first time, passed & sent to the Senate.

Mr. Person moved for leave to withdraw for amendment the Bill to secure and quiet the wives of the persons therein described in the possession of the Land & property assigned them by the Laws of this State. Ordered that he have leave.

Received from the Senate the Bill to establish a Town already laid off at the Court House in Robeson County, &c.; and a Bill to emancipate a certain Negro Slave named Phillis late the property of George Jacobs, of the Town of Wilmington. Endorsed, read the Second time and passed.

Received also a Bill to annex part of Brunswick County to the County of New Hanover, and a Bill to confirm the rights and titles of several Citizens of this State in certain Negroes therein described, & preventing unjust and vexatious Law Suits. Endorsed, read the third time and passed.

Mr. Robeson moved for leave to withdraw for amendment the Bill for dividing Davidson County. Ordered that he have leave.

The Bill to revive part of an Act passed at New Bern in the year 1785, intitled "an Act for dividing Guilford County," was read the first time, passed and sent to the Senate.

The Bill to amend the several Acts of Assembly to prevent dealing and trafficking with Slaves, was read the first time, passed & sent to the Senate.

The Bill to direct in what manner the Members of the General Assembly shall be paid for their services and attendance in future, was read the first time, passed and sent to the Senate.

The Bill to amend an Act to prevent the exportation of unmerchantable Commodities, was read the first time, passed and sent to the Senate.

The Bill to amend an Act intitled "An Act to establish a Superior Court of Law and Equity in the County of Davidson; passed at New

Bern in December, 1785, was read the first time, passed and sent to the Senate.

The Bill for the recovery of Debts hereafter incurred, according to contract, was read the first time, passed & sent to the Senate.

The Bill for improving the navigation of Albemarle Sound, was read the first time, passed & sent to the Senate.

The Bill to encourage the draining and recovering a Tract of Land in Tyrrell County, was read the first time, passed & sent to the Senate.

The Bill for the relief of Persons who have suffered or may suffer by their grants, Deeds and mesne Conveyances not being proved and registered within the time heretofore appointed by Law, and to grant a farther time for registering certain Grants heretofore issued from Lord Granville's office, was read the first time, passed and sent to the Senate.

The Bill to amend an Act intitled "an Act for the promotion of learning in the district of Wilmington," was read the first time, passed and sent to the Senate.

The Bill for the regulation of Edenton Ferry, was read the first time, passed & sent to the Senate.

The Bill for the relief of Thomas Craik and James Walker, the Executrix of John Ancrum and the Administrator of John Forster, deceased was read the first time, passed & sent to the Senate.

The Bill to enable John Crawford late Sheriff of Anson County, to collect the arrearages of Tax for the year 1779, was read the first time, passed & sent to the Senate.

The Bill to repeal part of an Act intitled "an Act to alter the mode of punishing Horse Stealing;" also to repeal an Act to prevent Horse stealing, was read the first time, passed and sent to the Senate.

The Bill to amend an Act intitled "an Act for appointing the place of holding Courts of Pleas and Quarter Sessions in the County of Sullivan;" passed at Fayetteville 1786, was read the Second time, passed and sent to the Senate.

The Bill to invest Thomas Maples, Jun., his Heirs & Assigns, forever with the title in fee simple to a certain tract of Land; was read the first time, passed and sent to the Senate.

Recived from the Senate the Bill to encourage the building of Iron Works in this State. Endorsed, read the first time and passed.

Received also, a Bill to quiet Thomas Brown, of Bladen County, Esquire, in his title to and possession of divers lands, Tenements and

Hereditaments, therein referred to. Endorsed, read the second time and passed.

Received from the Senate the following Message:

Mr. Speaker & Gentlemen:

We herewith send you sundry payrolls for services performed in a late expedition against the Indians, Commanded by General Martin, which we propose shall be reported on by a joint Committee, and have appointed for this purpose on the part of the Senate, Mr. McDowall, Mr. Graham, Mr. Lane, Mr. W. Hill, Mr. C. Johnson, Mr. Ben. Williams, Mr. Dupree, Mr. Willis and Mr. Robinson.

Ordered that the following Message be sent to the Senate:

Mr. Speaker & Gentlemen:

We agree that the payrolls for services performed on a late expedition against the Indians be referred to a joint Committee as by you proposed, and have for this purpose appointed Mr. J. Brown (of Wilkes), Mr. E. Robeson, Mr. Maxwell, Mr. Steele, Mr. Person, Mr. J. Jones, Mr. Cabarrus, Mr. Grove, Mr. W. Ward and Mr. J. P. Williams, to act with the Gentlemen by you appointed as a Committee.

Received from the Senate a Petition in favour of Jacob Clynard, which being read was rejected.

Ordered that Mr. Steele have leave to withdraw this Petition.

Received from the Senate the following Petitions. Endorsed, read and referred to the Committee of Propositions and Grievances; to-wit:

The Petition of Saucer Keen;

A Petition in favour of David Davis;

The Petition of Christopher Reddick;

The Petition & remonstrance of Andrew Bass.

These Petitions being read, were severally referred as by the Senate and returned.

Received from the Senate the resignation of Thomas Everett & Richard Huff, of Tyrrell County, James Sanders and John Sommers of Caswell County, as Justices of the Peace, and Frely Jones as First Major of the Tyrrel regiment of Militia. Severally endorsed, read and accepted; which resignations being read, were accepted by this House & returned.

Received from the Senate the Petition of Samuel Doak. Endorsed,

read and referred to the Committee on the payrolls for the Western expedition; which being read, was referred as by the Senate and returned.

Mr. Outlaw presented sundry Payrolls for services performed on an expedition against the Indians. Ordered that they be referred to the Committee heretofore appointed to examine and report upon payrolls of a similar nature.

The Committee to whom the Petition of Henry Hill and Thomas Fitt was referred, Reported,

That the said Petitioners had at a Considerable expence & risque fitted out a ship to Coast off Africa for a Cargo of Slaves; That at the time the said Ship sailed the duty on imported Slaves was no more than two and a half per cent.; that after the sailing of the said ship and before her return the Law was passed increasing the duty on Slaves imported from Africa and that the Petitioners, ready to make every compensation in their power, are willing to pay double the duty which was laid on Slaves at the time they commenced the said voyage. Your Committee are therefore unanimously of opinion that the said Petitioners on paying double the duty receivable on slaves on the first day of October, 1786, that is to say on their paying five per cent. on the original cost of the said Slaves, they be exonerated from the payment of any other or further duty on the said cargo of slaves imported from Africa some time in May or June, 1787,and that the collector of the Imports for Port Roanoke Govern himself with respect to the said Cargo of Slaves accordingly.

All which is submitted.

THOMAS PERSON, Ch'n.

The House taking this report into consideration concurred therewith.

Received from the Senate the Report of the Committee on the Memorial of the Secretary, which being read was rejected.

Received from the Senate the resolution of this House for appointing five persons by ballot to represent this State in a Convention of the States, should one be called, and recommending to the next Convention of this State to take under consideration the propriety of allowing the Town of Fayetteville a Member in General Assembly, Concurred with.

Received from the Senate a list of the Warrants Granted by Governor Caswell from the 26th Nov. to the 16th Dec., 1787. En-

dorsed, read and referred to the Committee on Revenue; which being read, was referred as by the Senate and returned.

Received also, the Petition of Henry Spears. Endorsed, read & referred to Mr. Bryan, Mr. Armstrong and Mr. McCawley; which being read, was referred on the part of this House to Mr. Houser, Mr. Mebane, Mr. Horn, Mr. Lewis & Mr. Caldwell & returned.

Received from the Senate a resolution of that House declaring that no person should be allowed pay as a Member of the General Assembly & as a Member of the State Convention for the same time; which being read, was concurred with and returned.

Received from the Senate the two following Messages, to-wit:

Mr. Speaker & Gentlemen:

We propose that the Petition of James Warrenton be referred to a joint Committee, and have for this purpose on our part appointed Mr. C. Johnson.

Mr. Speaker & Gentlemen:

We propose that the Petition of Elisabeth Fuzzell be referred to the Committee appointed on Jane Simpson's Memorial, rather than to the Committee of Propositions & Grievances, as by you proposed.

Ordered that the following Message be sent to the Senate:

Mr. Speaker & Gentlemen:

We agree that the Petition of Mr. Warrenton be referred to a joint Committee as by you proposed, and have for this purpose on our part, appointed Mr. Cabarrus & Mr. Horn. We also agree that the Petition of Elisabeth Fuzzel be reported on by the Committee to whom was referred the Petition of Jane Simpson.

Received from the Senate the following Messages:

Mr. Speaker & Gentlemen:

We agree to postpone the balloting for the public Treasurer, place at which the next Assembly shall be held, &c., until Saturday next as by you proposed.

Mr. Speaker & Gentlemen:

We consent to the whole of the amendments, as by you proposed, to be made in the resolution of this House relative to the calling a second Convention, and now send them for your concurrence.

At the same time received the resolutions above referred to; which being read, were concurred with and returned.

Mr. Person, on behalf of himself and others, moved for leave to enter a protest against the concurrence of this House to the resolutions above referred to. Ordered that he have leave.

Ordered that the following Message be sent to the Senate:

Mr. Speaker & Gentlemen:

We herewith return the resolutions of your House for calling another Convention, Concurred with as amended.

Ordered that the Bill to annex part of Dobbs County to the County of Jones be read to-morrow for the second time.

The House adjourned until To-morrow Morning 10 O'clock.

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SATURDAY, 22 November, 1788.

The House met according to adjournment.

Ordered that the following Message be sent to the Senate:

Mr. Speaker & Gentlemen:

It was the sense of this House that the place for holding the next Assembly, be balloted for this evening, altho' it was omitted to be expressed in our last Message.

The Bill to annex part of Dobbs County to the County of Jones, was read the second time, passed and sent to the Senate.

Mr. Phifer presented the Memorial of Matthew McClure, which being read, was referred to Mr. Steele, Mr. Hawkins, Mr. Person, Mr. Withrow, Mr. Gowdy & Mr. Baker, and sent to the Senate.

The Bill to alter the manner of holding Elections for Members of the General Assembly in Rowan County, was read the second time, passed and sent to the Senate.

Received from His Excellency the Governor, the following Messages:

To the Honourable the General Assembly:

Gentlemen:

I herewith lay before you a Letter which I have just received from the Commissioner for settling the accounts of this State with the United States.

You will be pleased to consider whether it is essentially necessary to the Interest of this State, that the time limited for the adjustin[g] the Claims of this State against the Unied Sates, should be extend-

ed, in that case you cannot be too early in directing your Delegates to make an application to Congress for that purpose.

SAML. JOHNSTON.

To the Honourable the General Assembly:

Gentlemen:

I have the Honor to lay before you a resolution of Congress requiring thirteen Copies of the Public Acts of the General Assembly, also a Letter from the Secretary of Congress requesting that in case the resolution cannot be fully complied with, that I will send to his office Copies of the Acts imposing duties and Imports and regulating Commerce; if you think proper to comply with this request you will be pleased to order the Secretary of State to furnish me with the Copies of such Acts as you shall judge expedient.

SAML. JOHNSTON.

Ordered that the two foregoing Messages from His Excellency the Governor, together with the two letters, &c., therein referred to be referred to the Committee on revenue.

Mr. E. Robeson, who had leave to withdraw for amendment the Bill for dividing the County of Davidson, delivered in at the Clerks Table the Bill with the amendments; whereupon this Bill was read the third time, passed and sent to the Senate.

The Bill to amend an Act passed in the year 1783, intitled "an Act to vest certain lands in fee simple in Richard Henderson & others," was read the Second time, passed and sent to the Senate.

Ordered that Mr. Nixon have leave to absent himself from the service of this House after Monday next, and Mr. Fort after Tuesday.

The Bill to annex part of the County of Washington to Sullivan, was read the second time, amended, passed and sent to the Senate.

Mr. Randal presented his resignation as a justice of the Peace for Jones County, which being read, was accepted and sent to the Senate.

Ordered that Mr. Goodorom Davis have leave to absent himself from the service of this House after the last day of this month.

The Bill to amend an Act intitled "an Act to erect a Town on the Land of Matthew Figures, in Northampton County, was read the second time, passed and sent to the Senate.

The Bill to impower the Courts of Pleas and Quarter Sessions in

the several Counties to levy a Tax on the Inhabitants thereof, for the purpose of erecting or repairing the Court House, Prison and Stocks therein, when necessary; was read the second time, amended, passed and sent to the Senate.

The Bill to amend an Act entitled "an Act for the regulation of the Town of Hillsborough," was read the third time, passed and sent to the Senate.

The Bill to impower the wardens of the poor for the County of Camden to levy a Tax to enable them to settle the arrears due from the said County, was read the Second time, passed & sent to the Senate.

Ordered that the following Bills be read on Monday next for the Second time in this House, to-wit:

A Bill for cutting a navigable Canal from the waters of Pasquotank River to Elisabeth River, &c., in Virginia;

A Bill to establish a new mode of the trial of Slaves;

A Bill to amend an Act for hiring out persons convicted on Indictment, &c.;

A Bill to amend an Act to direct the method of appointing Jurors, &c.;

A Bill to encourage the building Iron Works.

And that the following Bills be read on the same day for the third time, to-wit:

A Bill to revive part of an Act intitled "an Act to suppress excessive gaming;"

A Bill to confirm the rights & titles of Several Citizens of this State in certain Negroes," &c.

Ordered that Mr. Houser have leave to absent himself from the service of this House after Tuesday next.

The Bill to suppress settling in the several Counties therein mentioned, was read the second time, passed and sent to the Senate.

The Bill to repeal part of an Act passed at New Bern, November, 1785, intitled "an Act for destroying Wolves, Wildcats, Panthers and Bears in the several Counties therein mentioned," was read the second time, amended, passed and sent to the Senate.

The Bill to establish a Town already laid off at the Court House in Robeson County, by the name of Lumberton, was read the Second time, passed and sent to the Senate.

The Bill to annex part of Brunswick County to the County of

New Hanover, was read the third time, passed and sent to the Senate.

Mr. Mebane moved for leave to withdraw for amendment The Bill to impower Thomas Johnston, late Sheriff of Onslow County, to collect the Sinking Fund Tax, &c. Ordered that he have leave.

The Bill to quiet Thomas Brown, of Bladen County, Esquire, in his title to, and possession of divers lands, Tenements and Hereditaments therein referred to, was read the second time, passed and sent to the Senate.

The Bill for the better ascertaining the taxable property in the Town of Wilmington, and collecting the public and other taxes which may be imposed thereon, and for the further regulation of the said Town, and also for repairing the Episcopal Church of Saint James Situated therein; was read the second time and laid over until the next Assembly.

The Bill to amend an Act intitled "an Act to prevent domestic insurrections," was read the Second time, passed and sent to the Senate.

Ordered that the Bill to open a Communication from Cape Fear River to upper Fayetteville, &c., be read on Monday next for the Second time.

The Bill to quiet in the possession of William Scott certain lands therein described, was read the Second time, passed and sent to the Senate.

The Bill to amend an Act intitled "an Act for the better regulation of the Town of Fayetteville," passed at Tarborough in November, 1787, was read the third time, passed and sent to the Senate.

The Bill to appoint Commissioners to superintend the building a Prison and Stocks for the District of Fayeteville, and to levy a Tax on the Counties within the said District for defraying the expences thereof, was read the third time, amended, passed & sent to the Senate.

The Bill to emancipate a certain Negro Slave named Phillis, late the property of George Jacobs of the Town of Wilmington, deceased, was read the second time, passed, & sent to the Senate.

The Committee to whom the Petition of William Evans of the Town of Wilmington, was referred, Reported,

That the said William Evans, in the fire on the night of the 24th November, 1786, in the Town of Wilmington, had among other

property consumed, Certificates granted by the late Boards of Commissioners of liquidating Army Accounts, to the amount of Seventeen hundred and fifty-five pounds thirteen Shillings and ten pence, which by the list produced to the Committee appears all to be issued previous to the last setting of the said Board.

Your Committee being fully persuaded that the said Certificates were consumed in the said fire are of opinion, and beg leave to recommend that a resolution be passed directing the Comptroller to issue to the said William Evans, Certificates to the aforesaid amount in the name of those persons to whom they originally were granted, to bear the same date and be entitled to draw Interest accordingly.

All which is submitted.

THOMAS PERSON, Ch'n.

The House taking this report into Consideration Concurred therewith; whereupon,

Resolved, That the Comptroller issue to William Evans of the Town of Wilmington Certificates to the amount of Seventeen hundred and fifty-five pounds thirteen Shillings and Ten pence of the following dates and numbers, and in the names of the following persons, for the Sums annexed to their respective names, to-wit:

| Dates. | No. | £ | s. | d. |
|---|---|---|---|---|
| 1779. | | | | |
| June 14, | 549—William Vance, Corporal Artillery.... | 67 | 10 | 9 |
| 1780. | | | | |
| Feb'y 1, | 700—James Bond, Doctor ..... | 73 | 3 | 9 |
| Oct. 22, | 284—James Scurlock, Ass't Commissary..... | 7 | 13 | 4 |
| 1781. | | | | |
| Sept. —, | 322—William Jones, Soldier ..... | 74 | 11 | 2 |
| Dec. 1, | 102—John Reidpath, Lieutenant Doctor....100 | | | |
| 1782. | | | | |
| Jan'y 1, | 101—John Clendenman, Lieutenant .....100 | | | |
| | 102 ditto. ditto. .....100 | | | |
| | 104 ditto. ditto. .....100 | | | |
| | 934—John Strucker, Soldier ..... | 37 | 4 | 2 |
| | 617—Martin Cole, Sergeant .....196 | | 2 | 3 |
| | 505—Nathaniel Cooper, Soldier..... | 37 | 5 | 4 |
| | 265—Kedac Copeland, ditto..... | 80 | | |
| | 266— Ditto. ditto..... | 29 | 2 | 8 |

246—Colonel Archibald Lytle.....367 9
1039—Thomas Smith, Sergeant.....106 11 3
July 23, 228—Stephen Truett, ditto. ..... 38 8

£1755 13 10

Resolved further, That the Certificates when so issued shall be entitled to draw the same Interest of those issued by the Commissioners of Army Accounts of the same dates, it having been manifest to this Assembly that Mr. Evans had consumed by fire Army Certificates of the dates and numbers, & in the names of the Persons aforesaid for the Sums annexed to their respective names.

The Committee of Propositions and Grievances, to whom the Petition of Thomas Viverett was referred, Reported,

That in consequence of Mr. Viverett's indisposition with the Palsy he was unable to collect the Taxes due for two Districts in Nash County for which he stands accountable, whereby execution hath been levied on his property for the amount of the said Taxes.

Your Committee taking the said circumstances of Mr. Viverett's case into consideration recommend that he be allowed a further time of six months from the rising of this Assembly to make the said collection; wherefore,

Resolved, That the County Court of Nash are hereby directed and required to grant a stay of Execution on the Judgment obtained against Thomas Viverett for the amount of the Taxes accordingly.

All which is submitted.

THOMAS PERSON, Ch'n.

The House taking this report into consideration Concurred therewith.

Ordered that the following Message be sent to the Senate:

Mr. Speaker & Gentlemen:

We have appointed Mr. Person and Mr. Hamilton to superintend & conduct the balloting on the part of this House.

The House adjourned until 4 O'clock P. M.

Met according to adjournment.

Received from the Senate the report of the Committee on the report of Henry Hill and Thomas Fitt, Concurred with by that House.

Mr. Hawkins presented the Petition of James Ransome, Young

McLemore & James Johnston, which being read, was referred to the Committee of Propositions and Grievances and sent to the Senate.

Received from the Senate the following Message:

Mr. Speaker & Gentlemen:

We are now ready to proceed to the balloting for a public Treasurer, a place at which the next Assembly shall be held, &c., and have appointed Mr. Macon and Mr. Dixon to superintend the same on the part of this House.

Received from the Senate the following Messages:

Mr. Speaker & Gentlemen:

It is the opinion of this House that the Superintendents of balloting be requested to wait on those Members, in order to receive their Tickets, who from indisposition cannot attend.

Ordered that the following Message be sent to the Senate:

Mr. Speaker & Gentlemen:

We agree that the Inspectors appointed for the balloting shall wait on the Members who are sick & receive their Tickets as by you proposed.

Received from the Senate a Bill for the relief of the Creditors of absentees, comprehended within the Confiscation Laws; and a Bill ceding to the Congress of the United States certain Western Lands therein described, and authorizing the Governor of this State to execute a Deed or Deeds for the same. Endorsed, read the first time & passed.

Received from the Senate the resignation of William Randal, one of the Justices of the Peace for Jones County. Endorsed, read & accepted.

Received also the Memorial of Matthew McClure. Endorsed, read & referred to Mr. Montgomery, Mr. Graham & Mr. Hunt.

Received from the Senate the Message from His Excellency the Governor, enclosing the Letter therein referred to from the Commissioner for settling the Accounts of this State with the United States. Endorsed, read and referred as by the House of Commons.

Received also the report of the Committee appointed to confer with Mr. Dromgoole. Endorsed, read and Concurred with.

The House adjourned until Monday Morning 10 O'clock.

MONDAY, 24 November, 1788.

The House met according to adjournment.

Mr. Mebane, who had leave to withdraw for amendment the Bill impowering Thomas Johnston late Sheriff of Onslow County, his Heirs, Executors or Administrators, to collect the Sinking Fund Tax due from that County for the year 1786, and for giving him or them a longer time for collecting and settling for the same, delivered in at the Clerks Table the Bill with the amendments; whereupon, this Bill was taken up and read for the third time, passed & sent to the Senate.

Mr. Steele presented the Memorial and Petition of Sundry of the Inhabitants of Rowan County, who heretofore purchased Confiscated property, and praying that permission be given them to discharge the ballances yet due in Certificates; which being read, was referred to the Committee on Revenue & Sent to the Senate.

Mr. E. Jones presented the Petition of Thomas Bloodworth, which being read, was referred on the part of this House, to Mr. Everagin, Mr. Maxwell and Mr. Dixon, and sent to the Senate.

The Committee to whom was referred the Memorial of James Warrenton, Reported,

That having taken the same into Consideration, they are of opinion that the Prayer of the Memorial ought to be granted, and that the Collector of Impost for Port Brunswick be directed to Cancel the Bond of the Memorialist given for duties on Goods by him imported and set forth in said Memorial to have been cast away on the Coast of this State, he paying the Customary fees of office.

Which is submitted.

S. CABARRUS, Ch'n.

The House taking this report into consideration Concurred therewith.

Mr. Person, from the joint Balloting for the place at which the next Assembly shall be held, for a Public Treasurer, a Judge of the Marine Court for Port Bath, and Vendue Master for the Town of New Bern, Reported,

That John Haywood, Esquire, was elected Treasurer; Jonathan Loomis, Esquire, Judge, and John Smallwood, Esquire, Vendue Master. That no place in nomination for holding the next Assembly at, had a Majority of votes.

The House taking this Report into Consideration Concurred therewith; whereupon, the following Message was ordered to be sent to the Senate:

Mr. Speaker & Gentlemen:

We propose that the General Assembly proceed to ballot at four O'clock this evening for the place at which the next Assembly shall be held. Mr. Hamilton and Mr. Mitchell will conduct the balloting on the part of this House.

Mr. Mebane moved for leave and presented a Bill to levy a Tax in Gold or Silver, or Specific Articles, to pay the Interest of the Foreign Debt; which was read the first time, passed and sent to the Senate.

The Honbl. the Speaker laid before the House the Petition of John Rutledge, Thomas Sumpter, Isaac Huger, Benjamin Waring, Christian Senf, Daniel Bordeaux, Alexander Gillon, Joseph Atkinson, William Hill and John Galliard, of South Carolina, praying permission of this State, by an Act of the Legislature, to enable them to clear and make navigable the Catawba River in this State, &c.; which being read was referred to a Committee.

The Committee on Public Revenue, to whom were referred a Letter from the Board of Treasury of the United States, a Letter from William Skinner, Esquire, Commissioner of the Continental Loan office in this State, and proposals of John De Roulhac for purchasing part of the Public Tobacco, Reported,

On the Letter from the Board of Treasury, requesting His Excellency the Governor, to permit Mr. William Skinner, Commissioner of the Continental Loan Office in this State, to purchase as much of the Public Tobacco as will be equal to the arrears of Salary due to him from the United States to the 30th September 1788, amounting to 2943 54-90 dollars; your Committee are of opinion that His Excellency be instructed to inform the Board of Treasury that the said Tobacco is collected for and appropriated to the sole purpose of discharging this State's quota of Interest due on the foreign debt of the United States, and that it is improper to alter the appropriation. Your Committee are further of opinion, that if the Board of Treasury will agree to credit the State of North Carolina for the Sum aforesaid in the Continental Account against this State for the Interest aforesaid, on their paying the same to Mr. Skinner, that then His Excellency let him have the Tobacco to said amount.

On the letter of Mr. Skinner, relating to the old emissions of Continental Money, Your Committee are of opinion that His Excellency the Governor, be requested to take receipts from Mr. Skinner for the said Money, expressing that the packages delivered are said to contain ——— Dollars of the old Emission, which the said Skinner engages to forward to the Continental Treasury, and transmit the same to the Comptroller's office.

On the Memorial of John De Roulhac relating to the purchase of Public Tobacco, your Committee are of opinion, that his proposals ought not to be received.

All which is submitted.

S. CABARRUS, Ch'n.

The House taking this report into Consideration Concurred therewith.

The Bill for cutting a navigable Canal from the Waters of Pasquotank River in this State, to the Waters of Elisabeth River in the State of Virginia, was read the Second time, amended, passed and sent to the Senate.

Received from the Senate the following Message:

Mr. Speaker & Gentlemen:

We herewith send you the representation of the Public Treasurer which we propose shall be referred to the Committee on Revenue, the latter part thereof excepted, which we propose shall be immediately reported on by a joint Committee, and have appointed on the part of this House for that purpose, Mr. Jones, Mr. Graham & Mr. Hunt.

Ordered that the following Message be sent to the Senate:

Mr. Speaker & Gentlemen:

We agree that the representation of the Public Treasurer be referred as by you proposed, and have appointed on the part of this House, Mr. McDowall, Mr. Cabarrus, Mr. Gowdy, Mr. Lennard and Mr. Mebane, to act with the Gentlemen by you appointed to report on the latter part thereof.

Received from the Senate the following Message:

Mr. Speaker & Gentlemen:

No place having had a Majority of Votes at the late balloting for a place at which the next Assembly shall be held, we now propose that the General Assembly proceed to make that choice on Friday next at

four O'clock in the afternoon. We also propose that five persons be balloted for at the same time to represent this State in a Convention of the United States, and nominate for this purpose Mr. Iredell, Mr. Bloodworth, Mr. Person, Judge Spencer, Mr. Allen Jones, Mr. McDowall, Sen., Mr. Dupree, Mr. Locke, His Excellency Saml. Johnston and Mr. Alfred Moore.

Ordered that the following Message be sent to the Senate:

Mr. Speaker & Gentlemen:

We do not concur with you in postponing the Balloting for a place for the sitting of the next Assembly until Friday next, but propose to ballot this evening at 4 O'clock, as proposed in a former Message on that subject. We consent and propose that five persons to represent this State in a Federal Convention be also balloted for at the same time, and approve of the nominations by you made, and have added thereto, Mr. James Gallaway and Mr. Joseph McDowall the elder.

The Bill to establish a new mode of tryal of Slaves for Capital offences, was read the Second time, amended, passed & sent to the Senate.

The Supplementary Bill to an Act intitled "an Act concerning proving Wills and granting Letters of Administration, and to prevent frauds in the management of intestates Estates," was read the Second time and rejected.

Received from the Senate a resolution of that House directing the Secretary, on application of His Excellency the Governor, to furnish Copies of Acts of Assembly for the purposes therein mentioned; which being read was Concurred with and returned.

Mr Grove moved for leave to withdraw for amendment the Bill for making Cross Creek Navigable. Ordered that he have leave accordingly.

Mr. Jo. Stewart presented the resignation of William Vestal a Justice of the Peace for Chatham County, which being read, was accepted & sent to the Senate.

Mr. Person presented the Petition of Henry Emanuel Lutterloch late a Colonel in the Continental Army, which being read was referred to the Committee of Propositions and Grievances and sent to the Senate.

Received from the Senate the following Bills. Endorsed, read the first time & passed;

A Bill to amend the several Acts of Assembly to prevent dealing with Slaves, &c.;

A Bill to levy a Tax in Gold or Silver, or Specific Articles, &c.;

A Bill to regulate the Town of Edenton;

A Bill to amend an Act to prevent the exportation of unmerchantable Commodities;

A Bill to amend an Act intitled "an Act for the promotion of learning in the district of Wilmington;"

A Bill for the relief of former Sheriffs & for directing the Comptroller as to the manner of settling their Accounts.

Received also, A Bill to quiet Thomas Brown of Bladen County, Esquire, in his title to, and possession of divers Lands, Tenements, &c. Endorsed, read the third time & passed.

Ordered that the Bill Ceding to the Congress of the United States Certain Western Lands, &c.; be read the second time to-morrow.

Received from the Senate the Report of the Committee on the Petition of Thomas Viverett, concurred with by that House.

Received from the Senate the following Message:

Mr. Speaker & Gentlemen:

We consent to ballot this Evening agreeable to your last proposition.

Mr. Cabarrus informed the House that His Excellency the Governor, had been applied to for his consent to serve as a member to the Federal Convention, should one be recommended by Congress, who gave for answer that he could not. He at the same time informed that Mr. Iredell could not serve should he be Elected.

The Bill for the relief of former Sheriffs and for directing the Comptroller as to the manner of settling their Accounts, was read the first time, passed and sent to the Senate.

Received from the Senate the following Message:

Mr. Speaker & Gentlemen:

We are now ready to proceed to the balloting agreed on, and have appointed Mr. Hunt and Mr. Dickson to conduct the same on the part of this House.

It is our opinion that the Superintendants of the present balloting have the same power with respect to taking the votes of Indisposed Members as those of last Assembly.

The Sub-Committee of Revenue, to whom was referred the account

of the several Commissioners for purchasing Tobacco, Reported:

That on examining the account of James Porterfield, Commissioner of Fayetteville, they find that he has drawn from the Treasury at different times to the amount of Twleve Thousand five hundred & seventy-five Pounds, two Shillings & Six pence, as will appear by the Treasurer's statement No. 1. That he purchased from the 9th November, 1787, to the 27th May, 1788, one hundred & Ten Thousand and Thirty-five pounds weight of Tobacco, amounting to the Sum of Three Thousand one hundred and Twenty pounds Eight Shillings and two pence, and from the 28th of May, 1788, until the 8th November following, he purchased one Hundred and Thirty-Eight Thousand Eight Hundred and Ninety-five pounds weight of Tobacco for the Sum of Three Thousand four hundred & Eighty-Eight pounds one Shilling and Seven pence, amounting in the whole to Six Thousand & Eight pounds, Nine Shillings, Nine pence, as will also appear by his own returns Nos. 2 & 3, which Sum being deducted from the Sum he drew from the public Treasurer leaves a balance in Mr. Porterfield's hands of five Thousand Nine Hundred & Sixty-Six pounds Twelve Shillings & Nine pence, as is contained in paper No. 4, to all which papers your Committee beg leave to refer your Honorable Houses. That it also appears from the latter part of Mr. Porterfield's return No. 2, that he received of Robert Rowan, late Commissioner for purchasing Tobacco at Fayetteville, Inspectors Notes for Twenty Thousand and Sixty-Nine pounds weight of Tobacco, which the said Rowan had purchased on account of the Public and lodged in the Ware houses; and from Mr. Porterfield's own recital, it further appears to your Committee that he has made diligent search and inquiry after said Tobacco, and from the best accounts he can get about Eight Thousand pounds weight of it is lost or destroyed, as he can hear nothing of it from Mr. John Welch and Mr. Mc'Natt the former Inspectors, who received it and issued notes, nor of the present Inspectors.

Your Committee hath also examined the account of Etheldred Philips Commissioner for purchasing Tobacco at Tarborough, and find by the Treasurer's statement No. 5, that he has drawn out of the public Treasury, at different times, to the amount of Ten Thousand pounds; That it appears from his own returns Nos. 6 & 7, he purchased from the 15th November, 1787, to the 17th of May, 1788,

Seventy-Nine Thousand one hundred and Seventy-four pounds weight of Tobacco, amounting to One Thousand Nine Hundred & Sixty-Nine Pounds Eighteen Shillings & Eleven Pence. And from the 9th June, 1788, to the 23rd of September following, he purchased Twelve Thousand five hundred and Twenty-Nine pounds weight of Tobacco for the Sum of Three hundred & Nine pounds Seventeen Shillings and Nine pence, amounting in the whole to Two Thousand two hundred & Seventy-Nine pounds Sixteen Shillings and five pence, which being deducted from the Sum he drew from the Treasury, leaves a balance in Mr. Philips hands of Seven Thousand Seven Hundred and Twenty Pounds, three Shillings and five pence, as set forth in the paper No. 8, to which several papers your Committee also refer your Honourable body.

That upon the examination of the account of Egbert Haywood Commissioner for purchasing Tobacco at Halifax, it appears from the Treasurer's statement No. 9, that he drew from the Treasury at different times to the amount of Eight Thousand and Twenty-Eight pounds Seven Shillings. That from his own return No. 10, it also appears that he has purchased Eighty Nine Thousand Six hundred and Ninety-two pounds weight of tobacco amounting to Two Thousand two hundred and Seventeen pounds and five pence, which being deducted from the Sum he drew from the Treasury leaves a balance in Mr. Haywood's hands of five Thousand Eight hundred and Eleven pounds Nine Shillings and one penny, as it is contained in the paper No. 11, to which papers your Committee beg leave to refer the Honourable Houses.

That your Committee, upon casting up the several Sums of Money drawn by the said Commissioners, find they amount to Thirty Thousand Six hundred and three pounds Twelve Shillings, and that they have purchased Four Hundred and Thirty Thousand three hundred and Twenty-five pounds weight of Tobacco, amounting to Eleven Thousand one hundred and five pounds six Shillings and Seven pence, which being deducted from the Sums they drew from the Treasury leaves a balance of Nineteen Thousand four hundred and Ninety-eight pounds five Shillings and five pence in the hands of the Commissioners, as contained in the paper No. 12.

Your Committee further report, that the Sums of Money still remaining in the hands of the several Commissioners are subject to a

deducting for Commissions and other incidental charges, and that the Tobacco purchased by the Commissioners is still in their hands subject to orders of the General Assembly.

All which is submitted.

JO. McDOWALL, Ch'n.

The Committee on Revenue, having read the foregoing report, Concur therewith, and recommend that the Attorney General be directed to Commence Suit against the late Inspectors of Tobacco at Fayetteville and their Securities, for the recovery of the Tobacco which appears to have been lost in their hands.

Which is submitted.

S. CABARRUS, Ch'n

The House taking this report into consideration Concurred therewith.

The Committee, to whom the Petition of James Kerr, Administrator of the Estate of Galbreath Falls, deceased, late Sheriff of Rowan County, praying that some person might be appointed to settle the accounts of the Deceased, as Sheriff aforesaid, with him as Administrator, was referred, Reported,

That it is the opinion of your Committee the Comptroller is fully impowered to settle all such accounts, they are therefore of opinion that the said Petition be rejected.

All which is submitted.

THOMAS PERSON, Ch'n.

The House taking this report into Consideration Concurred therewith.

Mr. Person, from the Committee of Propositions and Grievances, delivered in the following Report:

The Committee, to whom the Petition of Divers Citizens in Randolph County was referred respecting the removal of the Court House, Prison & Stocks to the Centre of said County, Report,

That as the Subject of the said Petition appears to your Committee Concern all the Citizens of the said County, they beg leave to recommend that it be laid over until the next Assembly.

All which is submitted.

THOMAS PERSON, Ch'n.

The House taking this report into Consideration Concurred therewith.

Mr. Person, from the Committee of Propositions and Grievances, delivered in the following Report:

The Committee to whom the Memorial of Travis Harper was referred, Report,

That by a resolution of the last General Assembly, the said Travis, Harper was suspended from the office of a Justice of the Peace for the County of Chatham, in Consequence of an Indictment then pending in the Court of said County for a Deceit.

That as it appears to your Committee by the attestation of divers the Justices, the Clerk and Sheriff of the said County, the said Travis Harper was fully and absolutely acquitted of the charges laid in the said Bill of Indictment, and the allegations before the last Assembly were not well founded. They are of opinion that the said resolution ought to be rescinded; wherefore,

Resolved, That the said Travis Harper be restored to the office of a Justice of the Peace for the County of Chatham as fully and amply as if no such resolution of suspension had ever been passed.

All which is submitted.

THOMAS PERSON, Ch'n.

The House taking this report into consideration Concurred therewith.

Mr. Person, from the Committee of Propositions and Grievances, delivered in the following report:

The Committee to whom the Memorial of William Armstrong was referred, praying an allowance to be made him for two Horses purchased of him by the Commissioners appointed to extend the Boundary line between this State and the State of Virginia, Reported,

That it is the opinion of your Committee the Comptroller is fully impowered and authorized to settle all such claims and issue Certificates accordingly; wherefore they are of opinion that the said Memorial be rejected.

All which is submitted.

THOMAS PERSON, Ch'n.

The House taking this report into consideration Concurred therewith.

Received from the Senate the Petition of John Rutledge, Thomas

Sumpter, and others. Endorsed, read and referred to Mr. Dickson, Mr. Bloodworth & Genl. McDowall.

Received also the Memorial & Petition of Sundry of the Inhabitants of Rowan County, and the Petition of James Ransome, Young McLemore and James Johnston. Endorsed, read and referred as by the House of Commons.

Received from the Senate the Report of the Committee on the Memorial of James Warrenton, and the report of the Committee on Revenue on the Letters from the Board of Treasury, W. Skinner, and the proposals of J. De Roulhac for the purchase of the public Tobacco, Concurred with by that House.

Received also the Petition of Thomas Bloodworth. Endorsed, read & referred to Mr. Overton, Mr. Harvey, Mr. Brown, Mr. Kenan.

Received from the Senate a Bill for altering the time of holding Courts of Pleas and Quarter Sessions in the County of Orange. Endorsed, read the first time & passed.

Received also a Bill to establish a Town already laid off at the Court House in Robeson County by the name of Lumberton. Endorsed, read the third time & passed.

The House adjourned until To-morrow Morning 10 O'clock.

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Tuesday, 25 November, 1788.

The House met according to adjournment.

Mr. Maclaine presented the Memorial of James Witherspoon, which being read, was referred to the Committee of Propositions and Grievances & sent to the Senate.

Mr. Hamilton, from the joint Balloting for the place at which the next Assembly shall be held and five Delegates to represent this State in the Federal Convention, should one be called, Reported, That the next Session of the General Assembly was to be held at Fayetteville.

That Timothy Bloodworth, Joseph McDowall, Thomas Person, Matthew Locke, Esquires, were elected Delegates, and That one Delegate was yet to be Elected.

The House taking this report into Consideration Concurred therewith.

Mr. Steele presented the Memorial of Robert Martin, Esqr., Clerk

of Salisbury Superior Court; which being read, was referred to the Committee of Claims & sent to the Senate.

Mr. Cabarrus presented the Memorial of John Hoskins, which being read, was referred to the Commitee of Claims, and sent to the Senate.

The Bill to confirm the rights and titles of several Citizens of this State in certain Negroes therein described, and preventing unjust and vexatious Law Suits, was read the third time, amended by consent of the Senate, passed and ordered to be engrossed.

Received from the Senate the resignation of Howell Edwards as Colonel of Northampton County, and Willie Dickson a Colonel of Moore County; which being read, were accepted by this House and returned.

Received from the Senate the Memorial of John Walker, and the Petition and Claim of Niel Ray. Endorsed, read and referred to the Committee of Propositions and Grievances; which being read, were referred as by the Senate and returned.

Received also, the resignation of Jesse McLendon and William Miller, two of the Justices of the Peace for Montgomery County; which being read, were accepted by this House and returned.

Mr. Cabarrus moved for leave and presented a Bill to admit to record certain Deeds, Grants and Patents for Lands heretofore obtained, which was read the first time, passed and sent to the Senate.

Received from the Senate the report of the Committee on the Petition of Henry Spears. Endorsed, read & Concurred with; which being read was Concurred with by this House and returned.

Received from the Senate a resolution of that House directing the Comptroller to examine & settle the accot's of Henry Rhodes, deceased, which being read, was Concurred with and returned.

The Bill to revive part of an Act intitled "an Act to suppress excessive gaming," was read the third time, passed and sent to the Senate.

Received from the Senate the Bill for erecting a Town on the Land of Thomas Douggan in Randolph County. Endorsed, read the second time & passed.

Received from the Senate the Report of the Committee on the Petition of William Evans, and the resolution of this House in consequence thereof, Concurred with.

Resolved, That the Committees of Claims, of Propositions and

Grievances, and all Committees to which any special business is referred, be directed to make report on or before Monday next, and that no Bill shall be received after that Day.

Received from the Senate the following Message:

Mr. Speaker & Gentlemen:

One person to represent this State in a Convention of the United States being yet to be balloted for, we propose that the two Houses proceed to make that choice this afternoon at four O'clock, and nominate Mr. William Lenoir.

At the request of Mr. Gallaway his name is withdrawn from the nomination.

Ordered that the following Message be sent to the Senate:

Mr. Speaker & Gentlemen:

We agree to ballot this evening as by you proposed for the one person yet to be made choice of to represent this State in a Convention of the United States, and have added to the nomination Mr. John Macon.

The Bill to amend an Act to direct the method of appointing Jurors & Surveyors to run out disputed Lands, was read the Second time, amended, passed and sent to the Senate.

The Bill to amend an Act, intitled "an Act for hiring out persons convicted on Indictment or presentment not being able or willing to pay the fees of office and Gaolers fees," was read the second time, amended, passed and sent to the Senate.

The Bill to encourage the building of Iron Works in this State, was read the second time, amended, passed and sent to the Senate.

Received from the Senate a resolution of that House directing the mode which shall be observed by the Treasurer in delivering out the final Settlement Certificates; which being read, was Concurred with and returned.

Received from the Senate the Petition of Richard Goode, Sheriff of Surry County. Endorsed, read & referred to the Committee of Propositions and Grievances; which being read, was referred as by the Senate and returned.

Mr. McDowall presented the Memorial of Griffith John McRee, which being read, was referred to Mr. McDowall, Mr. Sawyer and Mr. Hawkins, on the part of this House, and sent to the Senate.

Received from the Senate the resignation of William Vestal. Endorsed, read and accepted.

Received also, the Petition of Henry Emanuel Lutterloch. Endorsed, read & referred as by the House of Commons.

Mr. Hawkins, from the Committee to whom was referred the Memorial of Matthew McClure, delivered in a report, which being read, was ordered to lie on the Table until To-morrow.

Received from the Senate a Bill to direct in what manner the Members of the General Assembly shall be paid for their Services and attendances in future. Endorsed, read the second time and passed.

Ordered that the Bill for dividing the County of Hawkins be read to-morrow for the Second time.

Mr. E. Jones moved for leave to withdraw for amendment, the Bill to amend an Act intitled "an Act for the promotion of learning in the district of Wilmington." Ordered that he have leave accordingly.

The Bill to extend the line between the Counties of Burke and Rutherford and to appoint Commissioners to run said line, was read the Second time, passed and sent to the Senate.

Received from the Senate a Bill to repeal part of an Act intitled, "an Act to alter the modes of punishing Horse Stealing;" also to repeal part of an Act to prevent Horse Stealing. Endorsed, read the Second time and passed.

The Bill to quiet Thomas Brown, of Bladen County, Esquire, in his title to, and possessions of divers Lands, Tenements & Hereditaments, therein referred to; was read the third time, passed and ordered to be Engrossed.

Received from the Senate the following Message:

Mr. Speaker & Gentlemen:

We herewith send you a Petition of James Hunter, the subject matter of which we propose shall be reported on by a joint Committee, and that the Committee be instructed to report what steps are necessary to be taken to prevent like abuses in future; for this purpose we have appointed Mr. Gallaway, Mr. W. Hill and Mr. Bloodworth.

Ordered that the following Message be sent to the Senate:

Mr. Speaker & Gentlemen:

We agree that the Petition of James Hunter be reported upon as

by you proposed, and have for this purpose appointed Mr. T. Pool Williams, Mr. Hamilton, Mr. Gowdy, Mr. Ward and Mr. Steele.

The Bill to impower the County Courts of Cumberland to appoint Inspectors for the Ware House built in Fayetteville, by Robinson Montford and James Porterfield, established by act of Assembly December, 1785; was read the Second time, amended, passed and sent to the Senate.

The Bill for altering the time of holding the Courts of Pleas and Quarter Sessions in the County of Orange, was read the first time and rejected.

Received from the Senate a resolution of that House directing the Treasurer to suspend the entering up Judgment against Older Neal, as therein expressed; which being read, was concurred with and returned.

The Bill for erecting a Town on the Land of Thomas Douggan in Randolph County, was read the third time, passed and sent to the Senate.

Mr. E. Jones presented the Petition of Thomas Lucas, which being read was rejected.

Mr. Person, from the Committee of Propositions and Grievances, delivered in the following Report, to-wit:

The Committee to whom the Petition of Nathan Hambrick was referred, Report,

That the said Hambrick entered into recognizance for twenty-five pounds, to appear at a Court in Rutherford County and give Testimony on behalf of the State against some persons Indicted therein for a trespass. That through inattention or ignorance he did not appear according to his recognizance, whereby it became forfeited, but at the next Court he attended and gave Testimony as aforesaid, and no Bill was found against the person indicted.

Your Committee under these circumstances are of opinion that the said forfeiture ought to be remitted, and beg leave to recommend the following resolution, to-wit:

Resolved, That Nathan Hambrick aforesaid be fully and absolutely acquitted of the said forfeiture of twenty-five pounds, and that the County Court of Rutherford Govern themselves accordingly.

All which is submitted.

THOMAS PERSON, Ch'n.

The House taking this report into Consideration Concurred therewith.

Mr. Person, from the Committee of Propositions and Grievances, delivered in the following report, to-wit:

The Committee to whom the Petition of divers Persons settled on the Land of the Cherokee Indians, on the East side of Tennessee River, was referred, praying for protection and the opening of an office for the said Lands, Report,

That it is the opinion of your Committee impolitic to protect the intruders on the Indians hunting ground, more especially as they settled in open violence of the Laws of this State, and they think it equally impolitic and premature to open an office for the entry of Lands on the West side of the Mountains at this Period; wherefore they beg leave to recommend that the said Petition be rejected.

All which is submitted.

THOMAS PERSON, Ch'n.

The House taking this report into consideration Concurred therewith.

Mr. Person, from the Committee of Propositions and Grievances, delivered in the following Report, to-wit:

The Committee to whom the Petition of David Johnston was referred, praying an allowance to be made him in consequence of a wound he received in the service of this State in a battle on Tyger River in South Carolina, under the command of Colo. Robert Erwin, Report,

That your Committee on examining the Laws, find by an Act passed at Hillsborough in the year 1784, the County Courts are fully impowered and authorized to make allowances to Citizens wounded in the service of the State; they therefore beg leave to recommend that the said Petition be rejected.

All which is submitted.

THOMAS PERSON, Ch'n.

The House taking this report into Consideration concurred therewith.

The House adjourned until 4 O'clock P. M.

Met according to adjournment.

Ordered that the following Message be sent to the Senate:

Mr. Speaker & Gentlemen:

We propose, at the request of Mr. Macon, that his name be withdrawn from the nomination as one of the Members to represent this State in a Convention, &c. We are now ready to proceed to balloting heretofore agreed upon & have appointed Mr. Horn & Mr. Mitchell to conduct the same.

The Bill to revive part of an Act passed at New Bern in the year 1785, intitled "an Act for dividing Guilford County," was read the Second time, passed and sent to the Senate.

The Bill to amend the several Acts of Assembly to prevent dealing and trafficking with Slaves, was read the Second time, passed and sent to the Senate.

Ordered that Mr. Knox have leave to absent himself from the Service of this House.

Mr. Cumming moved for leave to withdraw for amendment, the Bill for the better regulation of Edenton. Ordered that he have leave.

The House adjourned until To-morrow morning 10 O'clock.

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Wednesday, 26 November, 1788.

The House met according to adjournment.

Received from the Senate the Bill for the relief of former Sheriffs, and for directing the Comptroller as to the manner of settling their accounts. Endorsed, read the Second time and passed.

Received also the report of the Committee on the Petition of William Armstrong. Endorsed, read and Concurred with.

The Bill Ceding to the Congress of the United States certain Western Lands therein described, and authorizing the Governor of this State to execute a Deed or Deeds for the same, was read the Second time, and laid over until the next Assembly.

The Bill to establish a Town already laid off at the Court House in Robeson County by the name of Lumberton, was read the third time, amended by Consent of the Senate, passed and Ordered to be Engrossed.

The Bill for the relief of former Sheriffs and for directing the Comptroller as to the manner of settling their accounts, was read the Second time, passed and sent to the Senate.

Mr. Maxwell presented sundry Payrolls for services performed

on a late expedition against the Indians. Ordered that they be referred to the Committee to whom the Western payrolls were referred.

Received from the Senate the following Message:

Mr. Speaker & Gentlemen:

We do not concur with the report of the Committee on Revenue as it now stands, but propose that it be amended by deleing from the word *that* in a recommendatory part marked, to the word *Fayetteville* inclusive, and substituting Attorney-General; should you agree to this amendment we will then Concur.

Ordered that the following Message be sent to the Senate:

Mr. Speaker & Gentlemen:

We agree to the amendment proposed by your House to the report of the Committee on Revenue, have made the same conformable, and now send it for your concurrence.

Received from the Senate the following reports, Concurred with by that House, Vizt:

On Petition of Divers Citizens in Randolph County;

On the Petition of James Kerr, Administrator, &c.;

On the Petition of David Johnston;

On the Petition of Divers Settlers on the Indian Land on Tennessee River;

On the Petition of Nathan Hambrick.

Received also the Memorial of James Witherspoon, and the Memorial of Robert Martin. Endorsed, read and referred as by the Commons.

The Bill for dividing the County of Hawkins, was read the second time, and laid over until the next Assembly.

Received from the Senate the Memorial of Griffith John McRee. Endorsed, read and referred to Mr. Bunn, Mr. Williams and Mr. T. Brown.

Mr. W. King presented the Petition of Nathan King, which being read was referred to the Committee of Propositions and Grievances, and sent to the Senate.

Received from the Senate the report of the Committee appointed to consider the last paragraph of the representation of the Treasurer. Endorsed, read & Concurred with. This report being read, was Concurred with and returned.

Received from the Senate a Bill for cutting a Navigable Canal from the Waters of Pasquotank River in this State to the Waters of

Elizabeth River in the State of Virginia. Endorsed, read the third time, amended & passed.

The House, according to order, took up the Consideration of the report of the Committee on the Memorial of Matthew McClure; when the Report was read, debated and rejected.

Received from the Senate the following Message:

Mr. Speaker & Gentlemen:

We do not agree with you in referring the Memorial of John Hoskins to the Committee of Claims, but propose that the resolution herewith sent on that subject be adopted.

At the same time received the resolution above referred to, which being read was concurred with and returned.

The Bill for the relief of the Creditors of absentees comprehended within the Confiscation Laws, was read the Second time, and laid over until the next Assembly.

Resolved, That it be recommended to the Committee on Revenue to report to the General Assembly what measures they conceive most proper to be adopted, with regard to the Commissioners for purchasing Tobacco for the ensuing year.

Mr. Porter moved for leave to withdraw from the possession of the House the Vouchers and other papers relative to the claim of Mathew McClure. Ordered that he have leave accordingly.

The Bill to direct in what manner the Members of the General Assembly shall be paid for their services and attendance in future, was read the Second time, and laid over until the next Assembly.

The Bill to repeal part of an Act intitled "an Act to alter the mode of punishing Horse Stealing;" also to repeal an Act to prevent Horse Stealing, was read the Second time and rejected.

The Bill to amend an Act to prevent the exportation of unmerchantable Commodities, was read the Second time, passed and sent to the Senate.

Mr. Mebane moved to withdraw for amendment the Bill to levy a Tax in Gold, or Silver, or Specific Articles, &c. Ordered that he have leave accordingly.

Received from the Senate the Petition of John Devane & Richard Herring. Endorsed, read and referred to the Committee of Propositions and Grievances. The Petition being read was referred as by the Senate and returned.

Ordered that the Bill for cutting a navigable Canal from the waters

of Pasquotank River in this State, to the Waters of Elisabeth River in the State of Virginia, be read for the third time to-morrow.

The House adjourned until To-morrow Morning 9 O'clock.

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THURSDAY, 27 November, 1788.

The House met according to adjournment.

Ordered that Mr. Tatom have leave to absent himself from the service of this House after Thursday next.

Received from the Senate a Bill for the relief of former Sheriffs, and for directing the Comptroller as to the manner of settling their accounts. Endorsed, read the third time and passed.

Received also the report of the Committee on the accounts of the Tobacco Commissioners and the report of the Committee on the Petition of divers settlers on the Indian Land on the Tennessee River, concurred with.

Received from the Senate the Petition of Nathan King, and the claims for Services on an Indian expedition. Endorsed, read and referred as by the House of Commons.

The Bill for cutting a navigable Canal from the waters of Pasquotank River in this State, to the waters of Elisabeth River in the State of Virginia, was read the third time and laid over until the next Assembly.

The question shall this Bill lie over until the next Assembly or not, being put, was carried in the affirmative; whereupon the Yeas and Nays were required by Mr. Montfort, which are as follows, to-wit:

Yeas:—Messrs. J. Brown, of Bladen, Cain, Cains, McDowall, Jun., Cabarrus, Fulford, Creecy, Grove, McKay, Anderson, Jo. Stewart, Dixon, Killebrew, Baker, J. Bryan, J. H. Bryan, Maclaine, Tindall, Ussory, Phifer, J. Douglass, Mebane, Yates, Grant, Moye, S. Allen, Wood, Bell, Caldwell, Barnes, N. Brown, W. T. Lewis, Clendenning, Spruill, J. Brown of Wilkes, Tatom, Goodorom Davis, Cumming, E. Jones, Steele, Lindley, Lassiter, W. Martin, M. King, Lennard, Lanier, May, Withrow, Carson, Devane, Hardin.—51.

Nays:—Messrs. Horn, Pugh, McDowall, J. Allen, T. Pool Williams, G. Dauge, P. Dauge, Sawyer, B. Douglass, Graves, Hardiman, J. Hill, Mitchell, Hamilton, Gowdy, J. Jones, W. Ward, Moore, W. Williams, Slade, Bonds, Skinner, Harvey, Porter, Bethell, Phil-

lips, Walton, Jas. Stewart, Blair, Hawkins, Montfort, Hinton, Sanders, Handley, Vick, Person, Holmes, H. Hill, J. P. Williams, Harris.—40.

Mr. Grove who had leave to withdraw for amendment the Bill to open a communication between Cape Fear River and upper Fayetteville by making Cross Creek navigable, delivered in the Bill with the amendments, who did at the same time present the Memorial of Mark Russell proprietor of the Land on Cross Creek, and the Petition of Sundry Inhabitants of Fayetteville, praying that the Bill should not pass into a Law, &c.; which being read, Mr. Grove then moved that the Bill be read for the Second reading in this House, which was accordingly read the second time and rejected.

Received from the Senate the report of the Committee on Western territory on Indian affairs. Endorsed, in Senate, read & Concurred with "as amended"; which report being read was Concurred with as amended by the Senate, and returned.

Mr. William Cack one of the members for Hawkins county, appeared was qualified and took his seat; whereupon Mr. Cack was called upon to render reasons upon Oath for his non-attendance, on the day appointed for the meeting of the General Assembly, which he accordingly did and they were deemed sufficient.

Received from the Senate a Bill once more to extend an Act intitled "an Act to pardon and consign to oblivion the offences and misconduct of certain persons in the Counties of Washington, Greene, Sullivan and Hawkins," and a Bill to impower the County Court of Cumberland to appoint Inspectors for the Ware House built in Fayetteville by Robeson Mumford & James Porterfield, &c. Endorsed, read the third time and passed. Ordered that these Bills be read the third time To-morrow.

Received also, a Bill for impowering the navigation of Albemarle Sound and a Bill to impower the Wardens of the Poor for the County of Camden to levy a Tax to enable them to settle the arrears due from the said County. Endorsed, read the second time & passed.

Received from the Senate a resolution of that House directing the Treasurer to pay Richard Allen Twenty-three pounds, also a resolution directing the Comptroller to issue said Allen a Certificate for the like Sum; which being read, were Concurred with & returned.

Mr. Cumming moved for leave and presented a Bill to punish

House Breaking and other Crimes, which was read the first time, passed & sent to the Senate.

Received from the Senate a Resolution of that House, requesting His Excellency the Governor, to transmit a Talk or Talks to the Cherokees and Chickamawgaws, &c.; which being read was Concurred with and returned.

Received also a resolution of that House requesting His Excellency the Governor, to write to Alex McGilvary informing him that this State, in compliance with the requisition of Congress, will appoint a Commissioner to act with the Commissioners from South Carolina & Georgia for holding a Treaty with the Southern Indians, &c.; which being read, was Concurred with and returned.

The Bill for the relief of former Sheriffs and for directing the Comptroller as to the manner of settling their accounts, was read the third time, passed & ordered to be Engrossed.

Received from the Senate a Bill to admit to record certain Deeds, Grants and Patents for Land heretofore obtained. Endorsed, read the first time & passed. Ordered that this Bill be read the second time to-morrow.

Received also a Bill for the relief of persons who have and may suffer for want of their Grants, Deeds, and Mesne Conveyances not being proved and registered, &c. Endorsed, read the Second time and passed. Ordered that this Bill be read the Second time To-morrow.

Mr. Lindley moved for leave and presented a Bill to prevent the further importation of Slaves, which was read the first time, passed and sent to the Senate.

Mr. McDowall presented the Memorial of William Moore, late Sheriff of Burke County; which being read, was referred to Mr. Brown, Mr. McDowall and Mr. Horn, on the part of this House, and sent to the Senate.

The Bill to impower the wardens of the Poor for the County of Camden to levy a Tax to enable them to settle the arrears due from the said County, was read the third time, passed & sent to the Senate.

Received from the Senate a Bill to authorize and enable John Coulson to return into this State, and exercise the privileges therein mentioned. Endorsed, read the first time & passed.

Received also, a Bill to quiet in the possession of William Scott

certain lands therein mentioned. Endorsed, read the Second time and passed.

The Bill for improving the navigation of Albemarle Sound was read the Second time, passed and sent to the Senate.

Mr. Person, from the Committee to whom was referred the Petition of John Coulson, delivered in a report, which being read, was ordered to lie on the Table until To-morrow.

Received from the Senate the Memorial of John Ellis of Bladen County. Endorsed, read and referred to the Committee of Propositions and Grievances; which being read, was referred as by the Senate and returned.

Received also, the Petition of John Kimbrough, which being read was rejected.

Ordered that Mr. Hawkins have leave to absent himself from the service of this House after Tuesday next.

Mr. Person presented the Petition of Robert Alexander, which being read was referred to the Committee of Propositions and Grievances and sent to the Senate.

Mr. Person, from the Committee of Privileges and Elections to whom was referred the Memorial of John Walker, Esquire, of the Town of Wilmington, delivered in the following report, to-wit:

The Committee of Privileges and Elections to whom was referred the Memorial of Major John Walker, setting forth that Edward Jones the sitting Member in the House of Commons for the Town of Wilmington, had not taken the Oath of Allegiance to this State prior to his being elected, and consequently being a Foreigner was not Eligible to a seat in the General Assembly, Report,

That it is their opinion the said Edward Jones was entitled to Citizenship in this State at the time of his Election and that he was eligible to a Seat in the General Assembly.

All which is submitted.

THOMAS PERSON, Ch'n.

The House taking this report into consideration Concurred therewith.

Mr. Person, from the Committee of Propositions and Grievances, delivered in the following Report:

The Committee to whom the Memorial of Samuel Marley was referred, Report,

That some time in the year 1776, the said Marley gave his Bond

to a certain Robert Mains for Sixty Pounds, which by the said Mains was assigned to a certain John Nicholas Harder. That after the said Marler entered into the aforesaid Contract with the said Mains, he was summoned as a Garnishee on behalf of the State to declare what Estate he had of the said Mains in his possession, and not knowing that the said Bonds had been assigned as aforesaid, declared that he was indebted to the said Mains the aforesaid Sum of Sixty pounds. That the said John Nicholas Harder soon after produced the aforesaid Bonds properly assigned and transferred, which the said Marley fully paid as appears by the said Harder's affidavit herewith presented, and is still bound by his acknowledgment as Garnishee aforesaid.

Your Committee under these circumstances are of opinion that the said Mains ought not to be subject to the further payment of his acknowledgment as aforesaid, and beg leave to recommend the following Resolution, to-wit:

Resolved, That the County Court of Orange be directed to remit to the said Samuel Marley the aforesaid acknowledgment as a Garnishee.

All which is submitted.

THOMAS PERSON, Ch'n.

The House taking this report into consideration Concurred therewith.

The House adjourned until To-morrow Morning 9 O'clock.

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FRIDAY, 28 November, 1788.

The House met according to adjournment.

Mr. Dixon presented the resignation of Francis Oliver as a Justice of the Peace for Duplin County, which being read, was accepted & sent to the Senate.

Mr. Hardin presented Sundry pay rolls for services performed on an expedition against the Indians.

Ordered that they be referred to the Committee to whom the Western Payrolls were referred.

Received from the Senate a Bill to prevent the further importation of Slaves, and a Bill to punish House breaking and other Crimes. Endorsed, read the first time & passed,

Received also a Bill to repeal part of an Act passed at New Bern December, 1785, intitled "an Act for destroying Wolves, &c.;" a Bill to encourage the draining and recovering a Tract of Land in Tyrrel County, and a Bill to amend an Act to prevent the exportation of unmerchantable Commodities. Endorsed, read the Second time and passed.

Received from the Senate a Bill for dividing the County of Mecklenburg. Endorsed, read the first time & passed.

Received also, the resolution of this House directing the Committee on Revenue to Report the necessary measures to be adopted with regard to the Commissioners for purchasing Tobacco for the ensuing year, Concurred with.

Received from the Senate a resolution of that House directing His Excellency the Governor, to issue a Proclamation requiring all persons unlawfully settled on the Indian hunting Grounds to remove therefrom; which being read, was rejected.

Received from the Senate the following Bills. Endorsed, read the Second time & passed; to-wit:

A Bill to extend the line between the Counties of Burke & Rutherford;

A Bill to annex part of Dobbs County to the County of Jones;

A Bill to annex part of the County of Washington to Sullivan.

Received also, a Bill to emancipate a certain Negro Slave named Phillis, late the property of George Jacobs, &c. Endorsed, read the third time and passed.

Received from the Senate Sundry Payrolls for services performed on an Indian expedition, &c. Endorsed, referred as by the House of Commons.

Received from the Senate a Bill to amend an Act intitled "an Act to prevent domestic insurrections"; and a Bill to amend an Act intitled "an Act for appointing the place of holding Courts of Pleas and Quarter Sessions in the County of Sullivan," &c. Endorsed, read the second time and passed.

The Bill once more to extend "an Act to pardon and consign to oblivion the offences and Misconduct of certain persons in the Counties of Washington, Sullivan, Greene and Hawkins," was read the third time, passed and ordered to be Engrossed.

The question shall this Bill pass or not pass, being put, was car-

ried in the affirmative; whereupon, the Yeas & Nays were required by Mr. McDowall, which are as follows, to-wit:

Yeas:—Messrs. J. Brown of Bladen, Horn, Pugh, Cains, McDowall, Jun., Cabarrus, Grove, P. Dauge, Sawyer, McKay, B. Douglass, Graves, Jo. Stewart, Dixon, Robeson, Killebrew, J. Hill, Mitchell, J. Jones, Baker, W. Ward, J. Bryan, Moore, W. Williams, Slade, Phifer, Jo. Douglass, Bond, Mebane, Moye, S. Allen, Wood, Caldwell, Porter, Bethell, Barnes, N. Brown, W. T. Lewis, Walton, Clendenning, Jas. Stewart, Blair, Hawkins, Montfort, Brown of Wilkes, Hinton, Sanders, Handly, Branch, Tatom, Goodorom Davis, Cumming, E. Jones, Vick, Steele, Lindly, Holmes, Lassiter, Martin, W. King, Carson, H. Hill, J. P. Williams, Devane, Maxwell, Scott, T. King, Hardin, Outlaw, Cack.—70.

Nays:—Messrs. Cain, McDowall, Fulford, Creecy, T. Pool Williams, G. Dauge, Anderson, B. Harris, Hamilton, Gowdy, Maclaine, Tindall, Yates, Grant, Skinner, Harvey, Bell, Spruill, Herndon, Knox, Person, Lennard, Withrow.—23.

Received from the Senate the following Message:

Mr. Speaker & Gentlemen:

The subject matter contained in the form of a resolution herewith sent you, we propose shall be reported on by a joint Committee, and for this purpose on our part have appointed Mr. Gallaway, Mr. Blount and Mr. Bloodworth.

At the same time received the resolution referred to in the above Message, which being read, the following Message was ordered to be sent to the Senate:

Mr. Speaker & Gentlemen:

The Commons have on their part appointed Mr. E. Jones, Mr. Phifer, Mr. Cabarrus, Mr. Steele and Mr. Cack to act as a Committee with the Gentlemen by you appointed, to report on the subject matter contained in the resolution by you referred to.

Received from the Senate a resolution of that House for appointing a Committee to confer with His Excellency the Governor, on the subject of sending a Message with a Talk or Talks to the Indians, &c.; which being read was Concurred with and returned. Whereupon the following Message was ordered to be sent to the Senate:

Mr. Speaker & Gentlemen:

We have appointed Mr. Cack and Mr. Person to act with General

McDowall for the purpose of conferring with His Excellency the Governor, on the subject of sending a Talk or Talks to the Indians, &c.

The Bill to admit to record certain Deeds, Grants and Patents for lands heretofore obtained, was read the second time, passed and sent to the Senate.

Mr. Cumming moved for leave and presented a Bill concerning recognizances; which was read the first time, passed & sent to the Senate.

The Bill to quiet in the possession of William Scott certain Lands therein described, was read the third time, passed and sent to the Senate.

The Bill for the relief of Persons who have and may suffer for want of their Deeds, Grants and Mesne Conveyances being proved & registered within the time heretofore appointed by Law, and to direct Transcripts of the records of Orange County to be made; was read the second time, amended, passed and sent to the Senate.

Received from the Senate the following Bills. Endorsed, read the Second time and passed; to-wit:

A Bill to encourage the building of Iron Works in this State;

A Bill to amend the several Acts of Assembly to prevent dealing and trafficking with slaves;

A Bill to enable John Crawford late Sheriff of Anson County, to Collect Arrears, &c.;

A Bill to invest Thomas Naples, Jun., his Heirs and assigns, for ever with a title in fee simple to a certain Tract of Land, &c.;

A Bill to amend an Act intitled "an Act to direct the method of appointing Jurors, &c.;

A Bill to amend an Act passed in the year 1783, intitled "an Act to vest certain Lands in fee simple in Richard Henderson & others."

Received also, a Bill to amend an Act passed at Tarborough in the year 1786 intitled "an Act directing the County Courts of Pleas & Quarter Sessions to appoint Coopers or turners up of Tobacco. Endorsed, read the first time & passed.

Received from the Senate the Memorial of William Moore, late Sheriff of Burke County. Endorsed, read and referred to Mr. Graham, Mr. McCawley and Mr. Lenoir.

Received also, the Petition of Robert Alexander. Endorsed, read and referred as by the House of Commons.

Received from the Senate the following Message:

Mr. Speaker & Gentlemen:

We propose that the two Houses proceed to ballot on Saturday next at four O'clock in the afternoon for the Delegate yet to be made choice of, and an Agent to superintend the settlement of the accounts of this State with the United States, and a Commissioner for holding a Treaty with the Indians. We nominate for Delegate, William Lenoir, Esq., and Judge Spencer. For an agent to superintend the settlement of accounts, Hugh Williamson and Benjamin Williams, Esqrs. Commissioners for holding a Treaty with the Indians, Charles McDowall, James Gallaway, John Steele and John Stokes, Esquires.

Ordered that the following Message be sent to the Senate:

Mr. Speaker & Gentlemen:

We agree to ballot at the time by you proposed for the officers mentioned in your Message of this day, approve of your nominations, and have added thereto for an agent for the settlement of the accounts of this State with the United States Mr. Abishai Thomas, and for Commissioner for holding a Treaty with the Indians, Mr. McDowall, Jun., and General Caswell.

Received from the Senate a Bill to amend an Act entitled "an Act to erect a Town on the Lands of Matthew Figures, in Northampton County," and a Bill to amend an Act, intitled "an Act to establish a Superior Court of Law and Equity in the County of Davidson," &c. Endorsed, read the Second time and passed.

Received also, a Bill to secure to Thomas Bloodworth, his Heirs and assigns, the exclusive right of building Mills on the principle of the oblique Wheel. Endorsed, read the first time and passed.

And received also, a Bill for improving the navigation of Albemarle Sound. Endorsed, read the third time and passed.

The Bill to encourage the draining and recovering a tract of Land in Tyrrell county, was read the Second time & laid over until next Assembly.

Mr. Phifer moved for leave to withdraw for amendment the Bill for dividing the County of Mecklinburg. Ordered that he have leave accordingly.

The Bill to amend an Act passed at Tarborough in the year 1786, intitled "an Act directing the County Courts of Pleas and Quarter

Sessions to appoint Coopers or turners up of Tobacco," was read the first time, passed and sent to the Senate.

Received from the Senate the Report of the Committee on the Memorial of Samuel Marley, Concurred with by that House.

Received also, the resignation of Francis Oliver, a Justice of the Peace, accepted of by that House.

The Bill to amend an Act passed in the year 1783, intitled "an Act to vest certain Lands in fee simple in Richard Henderson & others," was read the third time, passed and sent to the Senate.

The Bill to amend an Act intitled "an Act to establish a Superior Court of Law and Equity in the County of Davidson," passed at New Bern in December, 1785, was read the Second time, passed and sent to the Senate.

Received from the Senate a Bill for the relief of Thomas Craike, James Walker, the Executrix of John Ancrum and the Administrator of John Forster, deceased. Endorsed, read the Second time and passed.

The Bill to amend an Act to prevent the exportation of unmerchantable Commodities, was read the third time and laid over until the next Assembly.

The Bill to amend the several Acts of Assembly to prevent dealing and trafficking with Slaves, was read the third time, amended, passed and sent to the Senate.

The Bill to secure to Thomas Bloodworth, his Heirs and Assigns, the exclusive right of building Mills on the principle of the oblique Wheel, was read the first time and laid over until the next Assembly.

Ordered that Mr. Edward Everagin have leave to absent himself from the service of this House after To-morrow.

Received from the Senate the following Message:

Mr. Speaker & Gentlemen:

We have added Mr. Galloway to the Committee on Revenue.

Mr. Miles King presented the Petition of William Johnson of Montgomery county & sundry depositions against the Conduct of certain Justices of the Peace in the said County.

Ordered that they be referred to the Committee of Propositions and Grievances.

Ordered that Mr. Lewis have leave to absent himself from the service of this House after Monday next.

Mr. Porter moved for leave to withdraw for amendment the Bill to extend the line between the Counties of Burke and Rutherford.

Ordered that he have leave accordingly.

Mr. Person, from the Committee of Propositions and Grievances, delivered in the following report, to-wit:

The Committee to whom the Petition of John Colson of Anson County, was referred, praying to be restored to the rights of Citizenship, which he had forfeited by attaching himself to the British in the late War, Report,

That as a number of respectable Citizens in the Counties of Anson and Montgomery have Petitioned that the said John Colson might be received as a Citizen, Your Committee beg leave to recommend that an Act be passed restoring the said John Colson to the rights and Privileges of a Citizen.

All which is submitted.

THOMAS PERSON, Ch'n.

The House taking this report into Consideration concurred therewith.

The Bill to authorize and enable John Colson to return into this State, and exercise the privileges therein mentioned, was read the Second time, passed and sent to the Senate.

Mr. Cabarrus, from the Commitee of Revenue, delivered in the following Report, to-wit:

The Committee on Public Revenue, to whom was referred the Memorial and Petition of Sundry Inhabitants of Rowan County, praying to be released from payment of two thirds of the purchase money of Certain Confiscated property in Cash, and to be allowed to pay the same in Certificates, Report,

As their opinion that the prayer of the said Petition ought not to be granted.

On the representation of John Haywood, Esquire, Public Treasurer, relative to payment of Warrants granted by the Governor for Commissions of Sales of Confiscated property, the Committee are of opinion that Mr. Haywood be allowed for the warrant which he has paid in favour of Colo. Nicholas Long, and that the same shall be admitted in settlement of his accounts as Cash. The Committee are also of opinion that the payment and allowance of this warrant shall not establish a precedent for payment of others of like nature in future, but that the same shall depend on the Law for di-

recting the Sale of Confiscated property, and that where Suits are or shall be instituted against the Treasurer for refusing to pay such Warrants, he shall defend the same at the expence of the State; and in case of Judgment being had against him for money in the Court where such Suit or Suits are or shall be commenced he shall be Authorized and required to pray an injunction and have the matter determined by the Court of Equity (which shall next be held for the district in which such Judgment shall be had), whose decree in the premises shall be final and conclusive, and the said Treasurer shall pay such Warrant or Warrants according to such decree and shall be allowed for the same in settlement of his accounts with the public.

All which is submitted.

S. CABARRUS, Ch'n.

The House taking this report into Consideration Concurred therewith.

The House adjourned until To-morrow Morning 9 o'clock.

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SATURDAY, 29 November, 1788.

The House met according to adjournment.

On a motion made by Mr. Cabarrus and seconded by Mr. ———— that the report of the Committee on the Memorial of James Glasgow, Esquire, which had been rejected, he reconsidered, It was

Resolved, The said report be taken up and re-considered.

The Report was accordingly taken up, read and debated, and again rejected.

Mr. Person, from the Committee of Propositions and Grievances, delivered in a Report on the Memorial of John Walker, which being read, was ordered to lie on the Table without further order.

Ordered that the following Message be sent to the Senate:

Mr. Speaker & Gentlemen:

We propose that the recommendation for Justices and Field officers for the several Counties, where necessary, be made this evening, to the end that Commissions may be issued previous to the rising of the Assembly.

The Bill to prevent the further importation of Slaves, was read the Second time and laid over until the next Assembly.

The question shall this Bill be laid over until the next Assembly

or not, being put, was carried in the affirmative; whereupon the Yeas and Nays were required by Mr. Lindley, which are as follows:

Yeas:—Messrs. J. Brown of Bladen, Pugh, Cains, T. Pool Williams, P. Dauge, McKay, B. Douglass, Graves, Anderson, J. Hill, Mitchell, Hamilton, J. Jones, W. Ward, J. Bryan, J. H. Bryan, Moore, Maclaine, W. Williams, Slade, Ussory, Bonds, Mebane, Yates, Grant, Moye, S. Allen, Caldwell, Porter, Bethell, Phillips, Barnes, Lewis, Jas. Stewart, Brown (of Wilkes), Hinton, Sanders, Branch, Tatom, Steele, Person, Lassiter, W. King, Lennard, Lanier, Withrow, J. P. Williams, Devane, T. King, Hardin, Outlaw, Cocke.—52.

Nays:—Messrs. Cain, Horn, McDowall, McDowall, Jun., J. Allen, Cabarrus, Fulford, Creecy, G. Dauge, Sawyer, Dixon, Hardiman, Gowdy, Baker, Randall, Phifer, J. Douglass, Everagin, D. Davis, Harvey, Wood, Bell, N. Brown, Walton, Clendenning, Spruill, Blair, Hawkins, Montfort, Herndon, Cumming, E. Jones, Knox, Lindley, May, Carson, H. Hill, Maxwell, Scott, Skinner.—40.

Received from the Senate a Bill concerning recognizances. Endorsed, read the first time and passed.

The Bill to punish House breaking and other Crimes, was read the Second time, amended, passed and sent to the Senate.

The Bill to encourage the building of Iron Works in this State, was read the third time, amended, passed and sent to the Senate.

Received from the Senate a Bill to amend an Act intitled "an Act to establish a Superior Court of Law and Equity in the County of Davidson," passed at New Bern in December, 1785. Endorsed, read the third time and passed.

Ordered that Mr. John Walker have leave to withdraw such papers as were presented with his Memorial.

The Bill to impower the County Court of Cumberland to appoint Inspectors for the ware house built in Fayetteville, by Robeson Montford and James Porterfield, established by Act of Assembly December, 1785, was read the third time, passed and ordered to be Engrossed.

The Bill to amend an Act intitled "an Act to establish a Superior Court of Law and Equity in the County of Davidson," passed at New Bern in December, 1785, was read the third time, passed and ordered to be Engrossed.

The Bill to amend an Act intitled "an Act to direct the method of appointing Jurors and Surveyors to run out disputed Lands,"

was read the third time, and laid over until the next General Assembly.

The Bill to amend an Act intitled "an Act to prevent domestick insurrections," was read the third time, passed and sent to the Senate.

The Bill to annex part of Dobbs County to the County of Jones, was read the third time, passed and sent to the Senate.

The Bill to annex part of the County of Washington to Sullivan, was read the third time, passed and sent to the Senate.

The Bill to amend an Act intitled "an Act for appointing the place of holding Courts of Pleas and Quarter Sessions in the County of Sullivan," passed at Fayetteville, 1786, was read the third time, passed and sent to the Senate.

The Bill for improving the navigation of Albemarle Sound, was read the third time, passed and ordered to be Engrossed.

The Bill to amend an Act intitled "an Act to erect a Town on the Land of Matthew Figures in Northampton County," was read the third time, passed and sent to the Senate.

The Bill to enable John Crawford, late Sheriff of Anson County, to collect the arrearages of Tax for the year 1779, was read the second time, amended, passed and sent to the Senate.

The Bill to repeal part of an Act passed at New Bern, December 1785, intitled "an Act for destroying Wolves, Wildcats, Panthers, Bears, Crows and Squirrels in the several Counties therein mentioned," was read the third time, passed and sent to the Senate.

The Bill to authorize and impower the Judges of the Superior Courts of Law in their several Districts to lessen or remit forfeited recognizances, was read the second time, amended, passed and sent to the Senate.

The Bill for the relief of Thomas Craike, James Walker, the Executrix of John Ancrum and the Administrator of John Forster, deceased, was read the second time, passed and sent to the Senate.

The Bill to emancipate a certain Negro Slave named Phillis, late the property of George Jacobs of the Town of Wilmington, deceased, was read the third time, passed & ordered to be Engrossed.

The Bill to invest Thomas Maples, Jun., his Heirs and assigns, forever with a title to a certain Tract of Land therein described, in the County of Moore; was read the Second time, and laid over until the next Assembly.

Mr. Mebane, who had leave to withdraw for amendment the Bill to levy a Tax in Gold, or Silver, or Specific Articles, &c., delivered in at the Clerk's Table the Bill with the amendments. Ordered that this Bill lie on the Table until Tuesday next.

Mr. Cabarrus presented the representation & Memorial of John Hunt, Clerk of the House of Commons, which being read, was referred to the Committee on Revenue, and sent to the Senate.

Ordered that the following Message be sent to the Senate:

Mr. Speaker & Gentlemen:

The Bill for establishing a Superior Court of Law and Equity in Davidson County having now passed into a Law, we propose that a Brigadier General, and Colonel of Cavalry for the District of Mero, be balloted for and nominate for a Brigadier General William T. Lewis, Daniel Smith and Samuel Barton. For Colonel of Cavalry, Robert Hays and Edward Hickman.

Ordered that the following Message be sent to the Senate:

Mr. Speaker & Gentlemen:

We propose that the consideration of the report of the Committee of Propositions and Grievances on the Petition of the Executors of Arthur Brown, deceased, formerly Sheriff of Bertie County, be taken up and recommitted to the same Committee.

Received from the Senate the Petition of Adam Laurence. Endorsed, read and referred to the Committee of Propositions and Grievances; which being read, was referred as by the Senate and returned.

Received also, the Petition of Charles Simpson. Endorsed, read and referred to Mr. Kenan, Mr. Bloodworth and Mr. Hargett; which being read, was referred on the part of this House, to Mr. Cabarrus, Mr. Skinner, Mr. Mebane, Mr. Maclaine and Mr. Hamilton.

Mr. Outlaw moved for leave and presented a Bill to impower the Commanding Officers of Greene and Hawkins Counties to erect a station or stations on the North side of Tennessee River, in the district of Washington, to protect the Citizens of this State to settle on the Lands entered in John Armstrong's office, and to prevent hostilities on the Cumberland Road, and for other purposes therein mentioned; which was read the first time, passed and sent to the Senate.

Received from the Senate a Bill to admit to record certain Deeds, Grants and Patents for Lands heretofore obtained; and a Bill for the

relief of Persons who have suffered or may suffer by their Grants, Deeds and Mesne Conveyances not being proved and registered within the time heretofore appointed by Law; and to grant a further time for registering certain Grants heretofore issued from Lord Granville's office; and to direct Transcripts of the records of Orange County to be made. Endorsed, read the Second time and passed.

Mr. Edward Jones moved for leave and presented a Bill to establish an Inspection of Pork, Beef and Naval Stores at Bryan's Ferry on Neuse River, in Craven County; which was read the first time and laid over until the next Assembly.

Received from the Senate a Bill to establish a Company for opening the navigation of the Catawba River. Endorsed, read the first time and passed.

Received from the Senate the following Messages, to-wit:

Mr. Speaker & Gentlemen:

We agree that the recommendations for Justices and Field officers to be appointed by the present Assembly be presented this afternoon.

Mr. Speaker & Gentlemen:

We have received and considered of the report of the Committee appointed on Revenue, with the whole of which we do not concur, but propose that the latter part thereof which respects impost on drawbacks for Molasses distilled be expunged, and that the resolution of this House herewith sent you on that head be adopted.

At the same time received the resolution above referred to, which being read, was concurred with; whereupon, the following Message was ordered to be sent to the Senate:

Mr. Speaker & Gentlemen:

We have received the resolution of your House relative to the drawbacks for Molasses distilled, and Commissions on drawbacks for goods reshipped, as also a proposition for expunging that part of the report of the Committee on Revenue relative to that subject. The resolution we return you Concurred with, have made the report conformable to your proposition and now send it for Concurrence.

Received from the Senate the resignation of Samuel Harrell as First Major of the Hertford Regiment of Militia. Endorsed, read & accepted; which being read, was accepted by this House and returned.

Received also, the report of the Committee appointed on the reso-

lutions submitted by Mr. Blount. Endorsed, read & Concurred with; which being read was Concurred with by this House and returned.

The House adjourned until 4 O'clock P. M.

Met according to adjournment.

Ordered that Mr. Vick have leave to absent himself from the service of this House. That Mr. Ward have leave also, after Tuesday next, and Mr. Hinton after Thursday.

Received from the Senate the following Message:

Mr. Speaker & Gentlemen:

We agree to ballot for the Military officers mentioned in your Message of to-day, and approve of the nominations, and propose that a Major and Second Major for the regiment of Cavalry in the district of Mero, be made choice of at the same time and nominate for First Major, James Lewis; and for Second Major, Jonathan Drake. We also propose, in order to expedite this business, that the persons who have the greatest number of Votes (the Brigadier excepted) be returned legally appointed.

Ordered that the following Message be sent to the Senate.

Mr. Speaker & Gentlemen:

We agree that a First and Second Major for the district of Mero be also balloted for this evening. We have added Mr. Benjamin Hawkins to the nomination for a Delegate, and James Clendenning for Second Major of Cavalry. We agree that the officers having the greatest number of Votes, as by you proposed, be declared duly Elected, and have appointed Mr. Mebane & Mr. Skinner to superintend the balloting.

Received from the Senate the resignation of Archibald Murphy as Colo. of Caswell County. Endorsed, read and accepted; which being read, was accepted by this House and returned.

Received from the Senate the following Messages:

Mr. Speaker & Gentlemen:

We consent that the report of the Committee on the Petition of the Executors of Arthur Brown, deceased, be recommitted agreeable to your proposition.

Mr. Speaker & Gentlemen:

We are ready to proceed on the balloting and have appointed Mr.

McKinne and Mr. McCawley to superintend the same on the part of this House.

Received from the Senate the representation and Memorial of John Hunt, and the Petition of William Johnson. Endorsed, read and referred as by the House of Commons.

Mr. Hawkins, from the Committee to whom was referred the Memorial of Griffith John McRee, delivered in the following Report:

The Committee to whom was referred the Memorial of Griffith John McRee, setting forth that he had lost a Warrant on the Treasury, Granted by Governor Caswell for the Sum of Ninety five 20-90 Dollars and praying the General Assembly to take his case into Consideration, Report,

That having examined the said Memorial, together with the deposition of the Memorialist, they find the facts therein set forth to be true, that the Warrant Granted in lieu of a Bill drawn by the Board of Treasury of the United States, on the Continental Loan Officer in this State, for arrears of pay due to the Memorialist as an officer in the Continental Army, and that the Governor on Granting said Warrant, took up said Bill whereby a claim is founded against the United States to amount thereof.

Your Committee are therefore of opinion that the Treasurer be directed to pay to the said Griffith John McRee the Sum of Thirty-Eight pounds one Shilling and Nine pence, being the amount of the said Warrant by him lost, as aforesaid, which warrant appears to have been numbered 78, and that he be allowed the same in the settlement of his account with the public; provided, he shall not have heretofore paid the original warrant, and shall take the necessary precaution in checking and stopping payment of the said original warrant in future, pursuant to which they recommend the following resolution to be adopted, vizt:

Resolved, That the Treasurer be and he is hereby directed to pay to Griffith John McRee the Sum of thirty-eight pounds one shilling and nine pence, being the amount of a warrant No. 78 granted by Governor Caswell in his favour, in lieu of a Bill drawn by this Board of Treasury of the United States, on the Commissioner of the Continental Loan Office in this State, which warrant is said to be lost, and that he be allowed the same in settlement of his accounts with the public. Provided, the said warrant shall not have been paid hereto-

fore, and that he shall take the necessary measures to stop payment of the same in future.

All which is submitted.

WYATT HAWKINS, Ch'n.

The House taking this report into consideration Concurred therewith.

The House adjourned until Monday Morning 9 O'clock.

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MONDAY, 1 December, 1788.

The House met acording to adjournment.

The Bill to establish a Company for opening the navigation of the Catawba River, was read the first time, passed and sent to the Senate.

Mr. E. Jones, who had leave to withdraw for amendment the Bill to amend an Act intitled "an Act for the promotion of learning in the district of Wilmington, delivered in at the Clerk's Table the Bill with the amendments, which was taken up & read the Second time, and the amendments inserted therein, was passed & sent to the Senate.

Mr. Cumming moved for leave and presented a Bill to prevent the exportation of Raw Hides, pieces of Hides, of Black Cattle, and Calf Skins; also of Beaver, Rackoon, Fox, Wildcat and lesser Furs, and all skins of the above nature; which was read the first time, passed and sent to the Senate.

The Bill to admit to record certain Deeds, Grants and Patents for lands heretofore obtained, was read the third time, passed and sent to the Senate.

Mr. Phifer, who had leave to withdraw for amendment the Bill for dividing the County of Mecklinburg, delivered in the Bill with the amendments, which Bill was then taken up and read the second time and laid over until the next Assembly.

Mr. Mebane, from the joint Balloting for one Delegate, for an Agent to superintend the settlement of the accounts of this State with the United States, a Commissioner to Treat with the Indians, and Military officers for the district of Mero, Report,

That William Lenoir, Esquire, was Elected Delegate; John Steele, Esquire, Commissioner to treat with the Indians; Daniel Smith, Esquire, Brigadier Genl. for the district of Mero; Robert Hays,

Esquire, Colonel of Cavalry; James Lewis, First Major, and James Clendenning, Second Major for the said District.

That Abishia Thomas, Esquire, as Agent for Settlement of the Accts. of this State, &c., had 70 Votes, tho' not a Majority.

The House taking this report into Consideration Concurred therewith.

Mr. Dixon presented the Petition of Alexander Gunn, which being read, was sent to the Senate.

The Bill for the relief of persons who have suffered or may suffer by their grants, deeds and mesne Conveyances not being proved and registered, within the time heretofore appointed by Law, and to grant a further time for registering certain Grants heretofore issued from Lord Granville's office, and to direct Transcripts of the records of Orange County to be made; was read the second time, amended, passed and sent to the Senate.

Ordered that Mr. Meares have leave to absent himself from the service of this House after Wednesday next, and Mr. Ussory after Thursday.

Received from the Senate a Resolution of that House directing the Treasurer to pay Edward Tinker one Hundred and fifty-one pounds Twelve Shillings and Six pence, which being read, was concurred with and returned.

Received also, a resolution directing the Treasurer to change & take up from Anthony Maultsby Nine Pounds of ragged Money, &c.; which being read, was concurred with & returned.

Received from the Senate a Bill to impower the Commanding Officers of Greene and Hawkins Counties to Erect a Station or Stations, &c.; A Bill to punish persons guilty of the Sin of Adultery, Incest and Polygamy, and a Bill to prevent the exportation of Raw Hides, &c. Endorsed, read the first time and passed.

Received also, a Bill to impower the County Courts of Rockingham to lay a further Tax, &c. Endorsed, read the second time and passed.

Received from the Senate the report of the Committee on Revenue; on the Memorial and Petition of Sundry Inhabitants of Rowan County, and the report of the Committee on the Memorial of Griffith John McRee. Endorsed, read and concurred with.

Whereas, William Good, who was heretofore appointed to take care of the public buildings in the town of New Bern, has resigned

the said appointment, and prayed that his accounts respecting the same may be examined and settled; therefore,

Resolved, That John Daves, Esquire, be appointed to take care of the aforesaid buildings, and that William Good be requested to present his accounts to the next Assembly for settlement.

The Bill to empower the County Court of Rockingham to lay a further tax to reimburse the Commissioners the Money by them expended in erecting the Court House, Prison and Stocks in said County, was read the third time, amended, passed & sent to the Senate.

The Bill to punish persons guilty of the Sin of Adultery, Incest and Polygamy, was read the first time, passed and sent to the Senate.

Recived from the Senate a resolution of that House for appointing a Committee to receive of Griffith John McRee certain Certificates therein alluded to, for the purposes therein expressed, which being read was Concurred with; whereupon the following Message was Ordered to be sent to the Senate:

Mr. Speaker & Gentlemen:

We have appointed Mr. Mebane and Mr. Gowdy to act with Mr. Thomas Stewart for the purpose of receiving from Mr. McRee, the Certificates referred to in the Resolution of your House.

The Bill to impower the Commanding Officers of Greene and Hawkins Counties to erect a station or stations on the North side of Tennessee river, in the district of Washington, &c.; was read the Second time, amended, passed and sent to the Senate.

Mr. Person called for the resolutions entered into during this Session for the calling another Convention, and moved, and was Seconded, that they be read through; Whereupon they were accordingly read. He then moved that the first resolution be again read, which was accordingly read in the following words, to-wit:

"Resolved, That it is the opinion of this House a new Convention "be recommended for the purpose of reconsidering the new Consti- "tution held out by the Federal Convention as a Government for the "United States."

This resolution being read, Mr. Person then moved and was seconded by Mr. Bethell, that the House reconsider the said resolution, which was objected to. The question being put "will the

House reconsider this resolution or not," was carried in the Negative; whereupon, the Yeas and Nays were required by Mr. Person, which are as follows, to-wit:

Yeas—Messrs. McDowall, McDowall, Jun., B. Douglass, Graves, Jo. Stewart, Dixon, Hardiman, Killebrew, J. Hill, Hamilton, Gowdy, J. Jones, Randall, J. H. Bryan, Jo. Douglass, Bonds, Mebane, Moye, Porter, Bethell, Phillips, Jas. Stewart, Blair, Hawkins, Montfort, Branch, Tatom, Lindley, Person, Holmes, Withrow, Maxwell.—32.

Nays—Messrs. J. Brown (Bladen), Horn, Pugh, Cains, Cabarrus, Fulford, Creecy, T. Pool Williams, G. Dauge, P. Dauge, McKay, Baker, W. Ward, J. Bryan, Moore, Maclaine, W. Williams, Slade, Phifer, Yates, Grant, D. Davis, Skinner, Wood, Bell, Barnes, N. Brown, Walton, Clendenning, Spruill, Hinton, Sanders, G. Davis, Cumming, E. Jones, Knox, Martin, Lennard, Lanier, May, Carson, H. Hill, T. King, Hardin, Outlaw, Cocke, Everagin, Steele, Grove, Caldwell.—50.

Mr. Cumming moved for leave and presented a Bill to explain an Act directing the duty of Naval Officers and all Masters of Vessels coming into any of the Ports or Inlets of this State, which was read the first time, passed and sent to the Senate.

Mr. Bonds presented the Petition of Hugh McDonald, which being read, was refered to the Committee of Propositions and Grievances and sent to the Senate.

Received from the Senate a Bill for the relief of Persons who have suffered or may suffer by their Deeds, Grants, &c., not being proved and Registered, &c.; and a Bill for the relief of Thomas Craik and others, &c. Endorsed, read the third time and passed.

Received also, a Bill to impower the Courts of Pleas and Quarter Sessions in the several Counties to levy a Tax on the Inhabitants thereof for the purpose of erecting or repairing the Court House, Prison and Stocks therein, &c. Ordered that this Bill be read the third time; the said Bill was accordingly read the third time and laid over until the next Assembly.

The Bill for the relief of Thomas Craik, James Walker, the Executrix of John Ancrum & the Administrator of John Forster, was read the third time and laid over until the next General Assembly.

Received from the Senate a Bill for processioning Lands. Endorsed, read the first time and passed.

Received from the Senate a Resolution of that House appointing

Memucan Hunt, Alexander Mebane, William Waters and William McCawley, to receive of the Comptroller all Warrants, Certificates & old Dollar Bills, &c.; which being read, was Concurred with and returned.

The Bill for processioning Lands was read the first time, passed and sent to the Senate.

Mr. Cabarrus presented the Petition of John Humphries, which being read, was referred to the Committee of Propositions and Grievances & sent to the Senate.

Mr. Cabarrus, from the Committee on Revenue, delivered in the following Report, to-wit:

The Committee on Revenue to whom was referred the representation and Memorial of John Hunt, Clerk to the House of Commons, setting forth that he was annually at considerable trouble, risque and expence, in keeping possession of, removing, &c., the public papers, and never had been allowed anything either for office rent or extra services, and praying an allowance by the present Assembly therefor.

2ndly. That he had delivered into the Comptroller's office Sundry Vouchers for allowances made by the General Assembly on which claims could be founded against the United States, which by former directions of the Assembly he was to have lodged in the Secretary's office, and praying the sense of the Assembly on the propriety of his conduct in this particular; also, requesting that proper persons may be appointed to over look his office and direct what papers are necessary to be withdrawn and lodged either in the Secretary's or Comptroller's office.

3rd. And that the late General Assembly had omitted to give particular directions with respect to the disposition to be made with the orders of the Board of Treasury of the United States, on the Continental Loan office in this State, for arrears of pay due to the Continental line, and praying relief in the premises.

Mr. Hunt also presented an account for services in overlooking his office and furnishing the Comptroller with Vouchers, &c., as Stated in his Second proposition; all which the Committee having taken into Consideration are of opinion, and Report on the first Proposition,

That no allowance ought to be made for office rent or extra Services, prior to this Assembly; but that the Clerk of the Senate and

Commons be allowed Twenty-five pounds each, per annum in future, including the year 1788, for office rent and extra services, exclusive of their wages for services during the Assembly.

On the 2nd:

The Committee are of opinion that Mr. Hunt stands justified in sending to the Comptroller's office such papers and Vouchers as were necessary to establish claims or accounts of this State against the United States; but they do not think it necessary to appoint any persons to overlook his office, or that of the Clerk of the Senate, for the purpose of directing what papers ought to be withdrawn from either, and lodged in the Secretary's or Comptroller's office; because they conceive that the said Clerks are as Competent Judges in this respect as any persons whatever.

The Committee find it unnecessary for the Assembly to take any order as Mr. Skinner the Commissioner of the Continental Loan office in this State is now instructed by the Board of Treasury to receive the said drafts or orders, and Mr. Hunt has lodged them with the Governor for negotiation as appears by the receipt of the Governor's Secretary which accompanies this report,

On Mr. Hunt's claim for Service in searching and examining public papers, for Vouchers to support the Claims of this State against the United States, and for going to Hillsborough and delivering the same to the Comptroller, The Committee are of opinion he be allowed Twenty-five pounds.

All which is submitted.

S. CABARRUS, Chn.

The House taking this report into consideration Concurred therewith.

Received from the Senate the report of the Committee appointed to confer with His Excellency the Governor, on the Subject of sending a Talk or Talks to the Indians, and sending a Messenger with the said Talks; and a resolution authorizing and requesting His Excellency to grant a Warrant on the Treasury in favor of Mr. Drumgoole for three hundred pounds in full for his wages and Services in carrying and delivering Talks and Letters to the Cherokees and other Indians, &c.; which report and resolution being read, were Concurred with and returned.

On the question to agree to this Report and resolution, the Yeas and Nays were required by Mr. Porter, which are as follows, to-wit:

Yeas—Messrs. J. Brown (Bladen), Horn, Cabarrus, Creecy, T. Pool Williams, Sawyer, B. Douglass, Hardiman, Hamilton, Gowdy, J. Jones, Baker, Maclaine, Slade, Tindall, Phifer, Everagin, Skinner, Harvey, Wood, Bell, Caldwell, Barnes, Walton, Clendenning, Spruill, Montfort, Hinton, Handley, Branch, G. Davis, Cumming, E. Jones, Knox, Steele, Person, Holmes, Lassiter, Withrow, Carson, J. T. Williams, Mears, Maxwell, T. King, Cocke.—45.

Nays—Messrs. Cains, McDowall, McDowall, Jun., Fulford, Graves, Dixon, Yates, Grant, Moye, S. Allen, Porter, Bethell, N. Brown, Blair, Hawkins, Tatom, W. Martin, Lennard, H. Hill, Devane, Hardin, Outlaw.—22.

Mr. Cabarrus from the Committee on Revenue delivered in the following report, to-wit:

The Sub-Committee on Revenue No. 4, to whom was referred the accounts, &c., of the entry taker of the Western Lands, Report,

That having examined the Journals of the General Assembly of 1786 and 1787, they find therein stated that John Armstrong, Esquire, the said entry taker did make return of Lands entered in his office to amount of four Millions three hundred and Ninety-three Thousand Nine hundred and forty-five acres, which at Ten pounds per hundred Acres, amounted to the sum of Four Hundred and Thirty Nine Thousand, Three Hundred and Ninety-four pounds Ten Shillings. That he has paid as follows, vizt.:

| | | | |
|---|---|---|---|
| Certificates in the years 1784 and 1785, | | | |
| Checked and filed in the Comptroller's office..... | £289,731 | 8 | 11 |
| Ditto in the year 1788, but not checked..... | 69,603 | 00 | 1 |
| Ditto paid in and returned being Counterfeits to be delivered to the Secretary of State..... | 3,328 | 00 | 00 |
| Making in the whole..... | £362,662 | 9 | 00 |

Payments as appears by the Comptroller's Certificates herewith presented, and which being deducted from the amounts of entries leaves a balance due the State from the said Entry Taker of Seventy-Six thousand seven hundred and thirty-two pounds one Shilling.

The Sub-Committee further find that by a resolution of the last Assembly the Treasurer was directed, in case the said entry taker failed to settle with and finally pay up to the Comptroller on or before the first day of October the next ensuing, the balance which

then appeared to be due and owing from him to the State in Virtue of his said office, as aforesaid, to commence Suit against the said entry taker and his Securities; and having examined the Treasurer relative thereto, were informed by him that prior to the said limited term, the said entry taker did appear at the Comptroller's office in Hillsborough and in his presence solicited the Comptroller to settle and finally close his account as aforesaid; and giving among other reasons for his being importunate on this subject, that by the foregoing resolution of the Assembly himself and Securities were liable to suffer when he was in readiness to come to a settlement, which the Comptroller declined, and urged as his reasons for so doing, that he was then engaged in exhibiting the accounts of this State against the United States to the Commissioner appointed by Congress to receive them; which to relinquish, and enter on the business of the Land Office (which could not be compleated in less than a Month or Six Weeks) he considered as having a tendency to injure the State in a much greater degree than could possibly be experienced by the arrearages of the Land Office being unaccounted for, as that could be acted upon after the other was compleated, and the reverse could not happen unless Congress should extend the term which they had limited for exhibiting the accounts as aforesaid; with these reasons the said entry taker acquiesced, and the Treasurer consider That it would be improper and unjust to institute a Suit against him when he declared he was in readiness fully and finally to settle up and balance his accounts. The Sub-Committee having taken no resolution on the subject, beg leave to submit the foregoing facts to be decided on and reported to the House by the Committee on Revenue.

J. JONES, Ch'n.

The Committee on Revenue taking the foregoing statement of facts into consideration are of opinion that the said entry taker ought to be allowed Six months from the end of the present session of Assembly to compleat a settlement of his accounts, and that the Treasurer be directed to delay commencing Suit against him until the expiration of said Six Months.

Which is submitted.

S. CABARRUS, Ch'n.

The House taking this report into consideration Concurred therewith.

Mr. Cabarrus, from the Committee on Revenue, delivered in the following Report, to-wit:

The Committee on Public Revenue, to whom was referred the account of Robert Rowan, late Commissioner for purchasing Tobacco at Fayetteville, as settled in the Comptroller's office Report,

That there appears to be a balance due the State on that account from the said Robert Rowan, Commissioner as aforesaid, of Sixty-two pounds Sixteen Shillings, which your Committee advise that the Treasurer be directed to receive, and whose receipt for the same shall be a full discharge for the said balance and finally close the account aforesaid.

All which is submitted.

S. CABARRUS, Ch'n.

The House taking this report into consideration Concurred therewith.

Mr. Cabarrus, from the Committee on Revenue, delivered in the following Report, to-wit:

The Committee on Public Revenue to whom was referred the Memorial and State of Facts of Richard Blackledge, alleging that he had furnished sundry supplies of leather, Tobacco, Coffee, Sugar, &c., for the use of the Public in the years 1778 and 1781, and praying the same to be admitted as an offsett against the Tobacco by him taken belonging to the Public, of the Purchase made by J. Haywood, Esquire, Commissioner, &c., at Tarborough, Report,

That the facts are not supported so as to induce the Committee to be of opinion the same ought to be allowed; therefore, they advise that the prayer of the Memorialist be rejected.

Which is submitted.

S. CABARRUS, Ch'n.

The House taking this report into consideration Concurred therewith.

Mr. Person, from the Committee of Propositions and Grievances, delivered in the following Report, to-wit:

The Committee, to whom the Memorial of John Orelor was referred, Report,

That by the Memorial it appears the Public had the use of a House of the said Memorialist two years, but as no proof was adduced to support the fact, or show for what particular purpose, or that the

Memorialist had not already been paid, induce your Committee to recommend the said Memorial be rejected.

All which is submitted.

THOMAS PERSON, Ch'n.

The House taking this report into consideration concurred therewith.

Mr. Person, from the Committee of Propositions and Grievances, delivered in the following Report, to-wit:

The Committee, to whom the Memorial of Gasper Smith was referred, Report,

That the House of the said Memorialist was consumed by fire, and therein Certificates to the amount of one hundred and Six pounds Six shillings, issued by the Board of Commissioners for settling Army Accounts, and the Board of Auditors.

Your Committee are of opinion that the said Gasper Smith be allowed the aforesaid Sum, and beg leave to recommend the following resolution, to-wit:

Resolved, That the Comptroller be and he is hereby directed to issue to Gasper Smith, Certificates to the amount of one hundred and Six pounds Six Shillings to be of equal value of Certificates issued by the Boards of Auditors in this State.

THOMAS PERSON, Ch'n.

The House taking this report into Consideration Concurred therewith.

Mr. Person, from the Committee of Propositions and Grievances, delivered in the following Report:

The Committee to whom the Petition of Richard Goode, Sheriff of Surry County was referred, Report,

That the said Goode conceived himself injured in a settlement with the Treasurer for the Taxes of the years 1785 and 1786. Your Committee on examining the premises are of opinion that the Treasurer settled with the said Goode fairly and strictly conformable to the Law; therefore recommend that the said Petition be rejected.

All which is submitted.

THOMAS PERSON, Ch'n.

The House taking this report into Consideration Concurred therewith.

Mr. Person, from the Committee of Propositions and Grievances, delivered in the following Report:

The Committee to whom the Petition of Saucer Keen, on the subject of allowances as a Soldier in the services of the United States, was referred, Report,

That on examining the Certificates in the possession of the Treasurer, they find one in the name of Saucer Kedar, which induced the Committee to believe it was intended for the said Keen, and as Mr. McKinne hath receipted for the same in the name and behalf of the said Saucer Keen, they beg leave to recommend, that the Petition be rejected.

All which is submitted.

THOMAS PERSON, Ch'n.

The House taking this Report into consideration concurred therewith.

The House adjourned until To-morrow Morning 9 O'clock.

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TUESDAY, 2 December, 1788.

The House met according to adjournment.

Mr. Person moved for leave to withdraw from the possession of the House, the Petition of Adam Lawrence.

Ordered that he have leave.

Received from the Senate the Petition of Hugh McDonald and the Petition of William Johnson. Endorsed, read and referred as by the House of Commons.

Received also, the resolutions of this House appointing John Daves, Esquire, to take charge of the public buildings in the Town of New Bern, Concurred with

Received from the Senate the following Reports, Concurred with by that House, to-wit:

Of the Committee on Revenue on the accounts of the Entry Taker of the Western Lands;

On the Memorial of John Hunt; and the report of the Committee of Propositions and Grievances on the Petition of Saucer Keen;

On the Petition of Richard Goode;

On the Memorial of John Oreler.

Received from the Senate a Bill to amend an Act entitled "an

Act directing the Sale of Confiscated property." Endorsed, read the first time and passed.

Received from the Senate the following Message:

Mr. Speaker & Gentlemen:

We have rejected the recommendations of the Justices for the Counties of Dobbs and Richmond, the first on account of the number now in Commission and the latter by reason of its not being signed by the whole of the members representing the County. We have also erased the name of Alexander McIver from the recommendation for Cumberland. We have likewise rejected the recommendations of officers for Hawkins county. With the whole of the others we have Concurred and send you a List herewith, which we request you will cause to be handed his Excellency the Governor, immediately.

Mr. Cabarrus, from the Committee on Revenue, delivered in a report, which being read and amended, was agreed to in the following words, to-wit:

The Committee on Public Revenue took into consideration the Resolve of the General Assembly relating to the propriety of continuing the purchases of Tobacco, and report as their opinion:

That the Commissioners be directed to purchase Tobacco to the amount of the Money already drawn by them, and that they respectively be authorized to draw out of the Public Treasury as much Money over and above what appears to remain in their hands unappropriated, as will make Ten Thousand pounds in each of the said Commissioners hands, the respective balances now in their possession being first expended and accounted, the whole of which they shall appropriate in the purchase of Tobacco. That the Treasurer be and he is hereby authorized and required to advance the same in the same manner and under the same restrictions as heretofore. And the remainder of the Monies arising from Impost shall remain in the Treasury subject to the order of a future General Assembly.

All which is submitted.

S. CABARRUS, Ch'n.

On a motion made by Mr. Steele and seconded by Mr. Cabarrus,

Resolved, That a joint Committee be appointed to consider of, and draw such instructions as they shall think the most proper and expedient to be given to the present Agent appointed by the General Assembly to hold a treaty with the Cherokees and Chickamawgaw

Indians, in conjunction with the Commissioners appointed by the States of South Carolina and Georgia.

Resolved, That Mr. McDowall, Mr. Person, Mr. Mebane, Mr. Cocke, and Mr. Cabarrus act on the part of this House with such Gentlemen as the Senate shall appoint for this purpose.

Mr. Porter, who had leave to withdraw for amendment the Bill to extend the line between the Counties of Burke and Rutherford, delivered in the Bill at the Clerk's Table with the amendments; which was read the third time, amended, passed and sent to the Senate.

Received from the Senate a Bill to prevent in future the diminution of the Public Revenue of this State by the neglect of the County Courts; and a Bill to repeal part of an Act intitled "an Act for the revising and collecting the Acts of the General Assembly by the State of North Carolina. Endorsed, read the first time and passed.

Received also, a Bill to authorize and enable John Colson to return into this State and exercise the Privileges therein mentioned; and a Bill to regulate the inspection of Tobacco in this State. Endorsed, read the second time and passed.

The Bill to amend an Act, intitled "an Act directing the Sale of Confiscated Property," was read the first time, passed and sent to the Senate.

The Bill to repeal part of an Act intitled "an Act for the revising and collecting the Acts of the General Assembly of the State of North Carolina," was read the first time, passed and sent to the Senate.

The Bill to prevent in future the diminution of the public revenue of this State by the neglect of the County Courts, was read the first time, passed and sent to the Senate.

Mr. E. Jones presented the Petition of Samuel Russell, which being read, was referred to the Committee of Propositions and Grievances & sent to the Senate.

Received from the Senate the Report of the Committee appointed to consider Mr. Iredell's application to the Assembly respecting the Acts that have been repealed or disallowed by the King's Proclamation, &c. Endorsed, read and Concurred with; which report being read was concurred with by this House and returned.

Received also a Resolution of the Senate directing the Treasurer to advance Two hundred and fifty pounds to James Iredell, Esquire, which being read was concurred with and returned.

The Bill to regulate the Inspection of Tobacco in this State was read the second time, passed and sent to the Senate.

Received from the Senate the following Message:

Mr. Speaker & Gentlemen:

We agree with you in the appointment of a Committee for preparing instructions to be observed by the Commissioner for Treating with the Indians and have appointed Mr. Jones, Mr. C. McDowall and Mr. Hill.

Received from the Senate a Bill to explain an Act directing the duty of Naval Officers, &c. Endorsed, read the first time and passed.

Received also, a Bill to enable John Crawford, late Sheriff of Anson County, to collect the arrearages of Taxes for the year 1779. Endorsed, read the third time and passed.

Received from the Senate the report of the Committee on Revenue; on the representation of Richard Blackledge, and on the accounts of Robert Rowan, Esquire, late Commissioner for purchasing Tobacco at Fayetteville; Concurred with by that House.

The Bill for the relief of persons who have suffered or may suffer by their grants, deeds and Mesne Conveyances not being proved and registered, within the time heretofore appointed by Law, and to grant a further time for registering certain Grants heretofore issued from Lord Granville's office; and to direct transcripts of the records of Orange and Tyrrel Counties to be made; was read the third time, passed and ordered to be Engrossed.

The Bill to authorize and enable John Colson to return into this State and exercise the privileges therein mentioned, was read the third time, passed and sent to the Senate.

The Bill to enable John Crawford late Sheriff of Anson County to collect the arrearages of Taxes for the year 1779, was read the third time & Rejected.

Received from the Senate a Bill to enable and impower the Attorney-General to commence Suits in Law and Equity in all cases in which he shall have information that the Treasury hath been injured by pretended Creditors of persons whose Estates have been Confiscated, and also to institute actions for the recovery of Debts & property belonging to persons of the above description, &c. Endorsed, read the first time and passed.

Ordered that Mr. Jo. Douglass have leave to absent himself from the Services of this House after Thursday next.

Mr. Cumming moved for leave to withdraw for amendment the Bill to explain an act directing the duty of Naval officers and all Masters of Vessels, &c. Ordered that he have leave accordingly.

The Bill to enable and impower the Attorney General to commence Suits in Law and Equity in all cases in which he shall have information that the Treasury hath been injured by pretended Creditors of Persons whose Estates have been Confiscated, and also to institute actions for the recovery of debts and property belonging to persons of the above description; and further to enable the said Attorney General to commence Suits in Law or Equity upon information against any Person or Persons holding public Monies for which they are accountable; was read the first time, passed and sent to the Senate.

Received from the Senate a resolution of that House, allowing General Griffith Rutherford until the first Monday in November next to close his accounts with the Public, which being read, was concurred with and returned.

Received from the Senate the Claim of Joseph Irwin. Endorsed, read and refered to the Committee on Pay Rolls; and the Petition of William Dent. Endorsed, read and referred to the Committee of Propositions and Grievances; which being read, were referred as by the Senate and returned.

Received from the Senate the report of the Committee on the Petition of James Hunter, Esquire, late Sheriff of Guilford County. Endorsed, read and Concurred with; which report being read was concurred with by this House and returned.

Reeived from the Senate the report of the Committee on the Memorial of John Stewart. Endorsed, read & concurred with, which report being read was concurred with by this House and returned.

Resolved, That the Treasurer be required to lay (immediately) before the General Assembly a list of all the delinquents in public monies.

Mr. Cabarrus, from the Committee on Revenue, delivered in the following Report, to-wit:

The Sub-Committee on Public Revenue No. 2, appointed to examine into the State of the Treasury, Monies collected in 1788 with the application, produce of the Revenue and Taxes, nature and amount of the public Debt, estimate and Taxes for the year 1788, and the foreign debt and Interest, Report,

That having examined into the State of the Treasury, there appears

| | | | |
|---|---|---|---|
| to have been in the hands of the Treasurer on the 1st day of Nov., 1787, agreeably to his accounts then rendered the sum of ..... £ | 6,745 | 5 | 3 |
| That he has collected and received from the said 1st November, 1787, to the 1st November, 1788, for account of arrearages the Sum of ..... | 54,131 | 18 | 8 |
| And that he has collected and received from said 1st November, 1787, to 1st November, 1788, for account of Taxes for the year 1787 ..... | 35,862 | 14 | 3 |
| Amounting in the whole to ..... | 96,739 | 18 | 2 |
| That he has paid the full amount of the Sum received for arrearages, including the balance on hand as aforesaid, amounting to ..... | 60,877 | 3 | 11 |
| And out of the collection of Taxes for the year 1787, including the Sinking Fund burned by order of the present Assembly ..... | 27,555 | 10 | 9 |
| Which amounts in the whole to ..... | 88,432 | 14 | 8 |
| And which being deducted from the foregoing sums of Money on hand and received up to the 1st of the present month, leaves a balance in his hands due and owing to the State of ..... in Money. | 8,307 | 3 | 6 |
| That he has collected and received in Certificates for accounts of arrearages from the 1st November, 1787, to the 1st of November, 1788, including.. | 65,227 | 14 | 11 |
| On hand the first mentioned day, the sum ..... | 110,557 | 5 | 7 |
| In Continental Dollar Bills as aforesaid, 113,231 Dollars, equal in value to ..... | 56 | 12 | 2 |
| In State Dolllar Bills as aforesaid, 408,068 Dollars equal in value to ..... | 204 | 10 | 8 |
| That he has collected and received of the Taxes for 1787 in Certificates ..... | 28,475 | 16 | 1 |
| In Continental Dollar Bills 32,315 dollars, equal in value to ..... | 16 | 2 | 4 |
| In State Dollars 169,476, equal to ..... | 84 | 14 | 4 |
| Amounting in the whole to ..... £ | 139,394 | 11 | 11 |

| | | | |
|---|---|---|---|
| That he has paid out to sundries who, on final settlement of their accounts with the public, appeared to have balances in their favour, and which is included in the foregoing Debits, Certificates to amount of ..... | 90 | 12 | 8 |
| To the Comptroller at different times, punched agreeably to resolve of Assembly, the sum of..... | 110,751 | 13 | 8 |
| To Ditto in Continental Dollar Bills 160,112 Dollars equal at 800 for 1 in Certificates, to..... | 80 | 1 | 1 |
| That there was burned by last Assembly at Tarborough, Subsequent to closing his Account to the 1st November, 1787, State Dollar Bills to amount of 431,919 Dollars, which at 800 for 1 is equal to | 215 | 19 | 3 |
| And that his commissions for collection of arrearages, pursuant to act of Assembly passed in December, 1787, which allows him 10 per cent. amounts to ..... | 221 | 16 | 9 |
| Making in the whole ..... £ | 111,360 | 3 | 5 |
| Which being deducted from the foregoing amount of debits leaves a balance in his hands due and owing to the State of ..... | 28,034 | 8 | 6 |

In Certificates, in which it is to be observed is included the State and Continental Dollar Bills.

On the produce of the Revenue and Taxes, the Sub-Committee beg leave to observe, that as returns have not been made up and Compleated, of the Taxable property in the several Counties of this State for the year 1787 they have been under the necessity of having recourse to the returns of 1786, except as to the articles of Impost of water and British Tonnage, which are founded on the returns for 1787; from such materials they have formed the following estimate, vizt:

| | | | |
|---|---|---|---|
| The Land Tax at 3s per 100 acres will produce nett, the Sum of ..... £ | 17,099 | 16 | 00 |
| Poll Tax ..... | 32,632 | 00 | 00 |
| Town poperty ..... | 730 | 00 | 00 |
| Tax on Stud Horses, Wheels of pleasure, Suits at Law, Deeds, &c., And Impost by Land. (Taxes in Aid of the Public Revenue)..... | 3,800 | 00 | 00 |

| | |
|---|---|
| Impost by water including British Tonnage, Calculated on returns made for the year 1787..... | 17,165 10 8 |
| Total ..... | £ 71,427 4 8 |

The above estimate is formed on the return from fifty-one Counties only, there being no returns of either Revenue or Taxable property from the Counties of Washington, Greene, Sullivan, Davidson, Sumner or Hawkins; the County of Robeson being erected by act of Assembly subsequent to returns being made for the year 1786, is included in the above under the return of Bladen. The Sub-Committee beg leave to decline taking order on the Taxes of the Counties Westward of the Appalachian Mountains as they have no returns, documents or other papers before them, on which they could form an estimate with any degree of accuracy.

The Sub-Committee are of opinion that for the services of the year 1789 the sum £104,262 16 will be necessary to be raised for the following purposes, vizt:

| | |
|---|---|
| For the Civil List ..... | £ 86,370 00 00 |
| Military Department ..... | 2,800 00 00 |
| One years quota of principal & Interest of the foreign loans (being arrearages) agreeably to requisition of Congress of 2nd August, 1786..... | 63,092 16 00 |
| Requisition of Congress for holding Indian Treaties | 2,000 00 00 |
| Contingencies, including Grants and Warrants unpaid ..... | 10,000 00 00 |
| | £104,262 16 00 |

From the foregoing statement the requisition of Congress for this State's quota of principal and Interest of the foreign Loans, there appears a difference from the statement made to the General Assemblies in 1786 and 1787, although such statements must have been founded on the same requisition, which difference the Sub-Committee are of opinion must have arisen from the former Committee taking the requisition for Indents made at the same time, in lieu of the requisition for Specie. On the nature and amount of the public debt, the Sub-Committee have made some enquiries and find there is due to our own Citizens, on Certificates for liquidated debts for which this State alone is bound and liable, the sum of £807,946 6 1 exclusive of the Interest, as appears by the Comptrollers

statement herewith presented; but on examining that statement they find that interest has been calculated on nearly all the Sums which have been paid in and added to the principal, whereby both principal and Interest have been deducted, when principal only hath been charged, therefore the said statement must be erroneous; to remedy which, and to enable the future Legislatures to decide with some degree of accuracy on the amount of the Certificate debt of this State, and to take the necessary measures for sinking the same, the Sub-Committee recommend that the Comptroller be directed to make out and lay before the General Assembly at their next meeting, an Account of the Certificates issued to individuals by Auditors, Commissioners, &c., which shall include the whole amount of such issues, from the commencement thereof until the time of his making up such accounts, and of all the Certificates by him received or which have been paid into his office, distinguishing in separate Columns the Principal and Interest so paid in, where the same shall be practicable, whereby a more accurate knowledge of the Certificated debt may be had than at present appears practicable. In the mean time the Sub-Committee suggest that there must be at least £1,000,000 Certificates in Circulation, the Annual Interest on which will amount to £60,000, which last Sum by the present Tax in Certificates is not annually Sunk or called in, there being but £50,461 14 annually collected, as appears by the returns before the Sub-Committee on which they have formed the estimate for the current year; they therefore recommend that for the year 1788 a tax be levied, and collected in Certificates, of four shillings on every hundred Acres of Land, Twelve Shillings on each Taxable Poll and Twelve Shillings on every hundred pounds value of Town property, this will produce the nett Sum of £67,282 5 4.

Which with the Sums to be collected from the Land office and Sales of Confiscated property will, they trust, not only sink the amount of the annual Interest but lessen in a small degree the principal, and by being persisted in will in a few years enable the State to do Justice to her Citizens by redeeming all the Securities now in their hands.

On the foreign debt and interest the Sub-Committee have observed that there is due by this State in Specie, for Interest and Instalments of the principal of the foreign loans of the United States agreeably

to requisitions of Congress of the 30th October, 1781, 27th and 28th April, 1784, 27th September, 1785, and 2nd August, 1786, (after deducting 28,486 78-90 Dollars paid by the Sales of Tobacco to Constable, Rucker & Co.,) the sum of 435,419 60-90 1-8 dollars, equal in North Carolina Currency to £174,167 17 5, which the Sub-Committee have recommended to be provided for in part, by annexing the requisition of the 2nd August, 1786, vizt: £63,092 16 00 to the Sum of their estimates of Money necessary to be raised for the services of the year 1789, and which is also in part provided for by the Law for purchasing Tobacco.

On the quota of this State, of the Interest of the Domestick Debt of the United States, and the balance due for the advances to this State in old and new emissions of Continental money, by the United States, the Sub-Committee have made the following statement: From a schedule of the requisitions of Congress on the Several States, of the 10th September, 1782, 30th October, 1782, 27th and 28th April, 1784, 27th September, 1785, 2nd August, 1786, and 11th October, 1787, there appears to be due and owing from the State of North Carolina in Indents for Interest on Certificates of the liquidated debt of the United States, the Sum of 552,174 86-90 2-8 Dollars, and on the requisition of the 20th August, 1788, the further sum of 122,564 54-90 Dollars, making in the whole 674,739 50-90 2-8 Dollars, equal in North Carolina currency to £269,895 16 5½. And from an abstract of Monies advanced in old emissions, new emissions and in Specie to the Individual States, there appears to have been advanced to North Carolina in old emissions 2,980,-959 8-90 Dollars and in new emissions 7,400 Dollars, equal in the whole in Specie to 788,032 9-90 Dollars, and that the State has credit in said abstract for 52,040 Dollars in old emissions, equal in Specie to 1,400 16-90 ⅜ Dollars, which taken from the foregoing debit leaves a balance due of 786,631 88-90 ⅝ Dollars, equal in North Carolina Currency to £314,652 15 10¼ and which being added to the foregoing Sum due in Indents makes an apparent balance against the State of North Carolina of £584,548 12 3¾ due and owing to the United States for Indents and advances as aforesaid; On which the Sub-Committee beg leave to remark, That as the requisitions of Congress are expressly declared to be for payment of the Interest on the domestic debt, and are permitted to be paid in Indents for Interest on Certificates of the Liquidated debt of the United States,

and as the State of North Carolina has assumed to her Citizens the payment of claims for supplies and services rendered the United States of the same nature with those assumed in other States by the Congress of the United States for the Interest on which the said requisitions are made, the Sub-Committee are of opinion the said requisitions ought not to be complied with at present, trusting that when the accounts and claims of this State against the United States shall be finally adjusted interest will be allowed thereon from the respective dates of the several Items in the accounts of such claims, and that such Interest so allowed will fully balance the account of requisitions for Interest as aforesaid, in consequence of which th have taken no order in the estimate of the current year for raising either money or Indents for that purpose. Upon the same principle the Sub-Committee have suggested no measures as necessary to be taken for the payment of the balance due on advances in Continental Money as aforesaid, in full confidence that when the Claims of this State against the United States be established and finally adjusted the advances to and for the use of the Southern Armies and their dependencies, for account of the United States, will be found adequate to the discharge of such balance as aforesaid.

All which is submitted.

M. HUNT, Ch'n.

The Committee on Public Revenue taking the foregoing report into consideration Concurred therewith, and ordered that the same be reported to the House.

S. CABARRUS, Ch'n.

The House taking this report into Consideration concurred therewith.

Mr. Cabarrus, from the Committee on Revenue, delivered in the following Report, to-wit:

The Sub-Committee to whom was referred the Letter from the Vice-Consul of France on the subject of the Debt due from the State to the Government of Martinique, Report,

That the Marquis De Britigney hath drawn from the Treasury the Sum of £2,365 supposed to have been adequate to the discharge of the above demand, that in May Session 1784, a Committee of the General Assembly reported that the Comptroller Collected from the said Marquis De Britigney the Sum advanced to him on account of the aforesaid demand,

The Sub-Committee likewise report that in 1784 John Gray & Thomas Blount drew from the Treasury the Sum of Eleven hundred pounds for the purpose of remitting for the said demand, and in the year 1786 the further Sum of Thirteen Hundred pounds was drawn from the Treasury by them, making in the whole two Thousand four hundred pounds for the purpose aforesaid. The Sub-Committee observe that by the Statement of the account exhibited by the Vice-Consul of France, the said John Gray & Thomas Blount in April and July, 1786, paid into the hands of the French Agent at New York the Sum of One Hundred & Seventy pounds Seventeen Shillings and Eight pence and in May, 1787, they paid to the Agent of France in Philadelphia the further Sum of Ninety-three pounds Seven Shillings and Nine pence, making in the whole two hundred and Sixty four pounds five Shillings and five pence, which Sum being deducted from the amount of articles supplied the State by the Government of Martinique leaves a balance of 4,826 63-90 Dollars.

The Committee recommend that His Excellency the Governor, by and with the advice and consent of the Council of State, dispose of so much of the Public Tobacco for hard money or bills of exchange on Philadelphia, New York or Martinique as will discharge the said Balance.

The Committee also point out the necessity of the Comptroller's reporting to the Treasurer the balance due from the Marquis De Britigney on account of the Sum of Money advanced to him for the purpose of paying the above debt, and that the Treasurer commence Suit immediately for the same.

The Committee further recommend that the Treasurer request Messrs. John Gray and Thomas Blount to make an immediate settlement and pay up the balance, with interest, remaining in their hands on account of the Sum advanced them for the above purpose, and that on failure therein he institute a suit for the recovery thereof and make report thereof to the next General Assembly.

Which is submitted.

WHIT'LL HILL. Ch'n.

In Committee on Public Revenue, December 2nd, 1788. Read and concurred with, and ordered to be reported to the House.

S. CABARRUS, Ch'n.

The House taking this report into Consideration concurred therewith.

Mr. Maclaine, from the Committee to whom was referred the Memorial of Jane Simpson, delivered in the following Report, to-wit:

The Committee to whom was referred the Memorial of Jane Simpson, praying that she may have allowance out of that part of the estate of Thomas Rutherford, her former husband, which was sold by the Commissioner appointed to sell Confiscated property in lieu of a part of the same, which was granted her by the County Court of Cumberland agreeable to an Act of the General Assembly, &c.

Your Committee upon examining the papers relative to the estate of Thomas Rutherford, and comparing them with the Acts of General Assembly, do find that the estate of said Rutherford was confiscated by an Act passed at New Bern 1779, which sets forth that persons who had absented themselves from this State since the commencement of the War, and do not return and shew cause to the next General Assembly why this act should not take effect, their estates should be confiscated and applied for the benefit of this State. It appears to your Committee that the said Rutherford had absented himself before the passing of this act and never returned to shew reason why it should not be in force, and that his Brother, John Rutherford, in his absence without any order or authority from the said Thomas Rutherford sold the same and removed the Monies arising therefrom, together with the Bonds and Book acco'ts relative to the same, to the great damage of the Creditors of said Thomas Rutherford, and to the injury of the State.

Your Committee are of opinion that a Suit or Suits ought to be commenced in the name of the State for the recovery and legal appropriation of the same.

It further appears that Mrs. Simpson, formerly Mrs. Rutherford, upon her return to this State after the death of said Thomas Rutherford, found some few articles of said Estate, which upon application to the Court, they thought proper to allow her for subsistence, and granted her an order for the same, all which hath since been sold by the Sheriff, as appears by his Inventory of Sale and the affidavit of Mrs. Simpson, for the benefit of the Creditors of the said Estate, and ample satisfaction not yet made.

And whereas, it appears that two small Tracts of Land in this

County belonging to Thomas Rutherford's Estate have been sold by the Commissioner of Confiscated property, Your Committee are of opinion that the Sum for which they were sold should be reimbursed in Compensation for the Subsistance granted her by Court, and to enable her more fully to satisfy the demand against said Estate.

As to that part of the prayer of the Memorialist which relates to the Audited Certificates, your Committee are of opinion that it cannot be allowed, as the Certificates may be in circulation. It also appears probable to your Committee that there are a great many Tracts of Land in this State belonging to the Estate of said Rutherford, which by reason of the Grants being removed are now unknown, it is therefore their opinion that the Secretary of State be directed to make a return of all the Grants issued in favour of said Rutherford to the next General Assembly.

All which is submitted.

WM. MACLAINE, Ch'n.

The House taking this report into Consideration concurred therewith.

Ordered that the following Message be sent to the Senate:

Mr. Speaker & Gentlemen:

The Commons have thought it more expedient to the Interest & safety of the State that two Agents, instead of one, be appointed to superintend the settlement of the accounts of this State with the United States, that it shall be more particularly the business of one to solicit in behalf of the State, and the other to state and arrange the accot's, and propose that they be balloted for To-morrow at four O'clock in the Evening.

We also propose at the same time to ballot for Field Officers for the Regiment of Cavalry in the District of Washington.

We nominate for Agents, Hugh Williamson, Benjamin Hawkins and Abishai Thomas, Esquires. For Colo. of Cavalry, Thomas King and Valentine Sevier. For First Major, John Hunter and Francis Alexander Ramsey. For Second Major, John Miller.

The House adjourned until To-morrow Morning 9 o'clock.

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Wednesday, 3rd December, 1788.

The House met according to adjournment.

Mr. Person, from the Committee of Propositions and Grievances, delivered in the following report, to-wit:

The Committee to whom the Petition of James Witherspoon, Jun., praying an allowance for a Rifle Gun and other Articles taken from him by the British in the late War, was referred, Report,

That as no allowance heretofore has been made for damages done by the British Army in the late War, nor any law now in force admiting such claims, your Committee beg leave to recommend that the said Petition be rejected.

All which is submitted.

THOMAS PERSON, Ch'n.

The House taking this report into Consideration concurred therewith.

Mr. Person, from the Committee of Propositions and Grievances, delivered in the following Report, to-wit:

The Commitee to whom the Petition of Nathan King, respecting the appointment of the Colo. of the Cumberland Regiment of Militia at the last Assembly as being injurious to his grade as a Field Officer in said Regiment, was referred, Report,

That an examination of the Militia Law passed at Fayetteville in the year 1786, they observe that the appointment of Field Officers is particularly directed to be made by joint Ballot of both Houses of the General Assembly, and as the present Colo. of the said Regiment was legally appointed at the last Assembly, the Commitee conceive the promotion of the said King would be injurious and destructive of the appointments already taken place and Sanctioned by Law, they therefore beg leave to recommend that the said Petition be rejected.

All which is submitted.

THOMAS PERSON, Ch'n.

The House taking this Report into Consideration concurred therewith.

Mr. Person from the Committee of Propositions and Grievances, delivered in the following Report, to-wit:

The Committee, to whom the Petition of Neil Ray praying an allowance to be made him for damages sustained in the late war by the Militia of this State, was referred, Report:

That it is the opinion of the Committee the Comptroller is the proper officer to liquidate and adjust all such claims, wherefore they recommend that the said Petition be rejected.

Which is submited.

THOMAS PERSON, Ch'n.

The House taking this report into Consideration concurred therewith.

Mr. Person, from the Committee to whom the Petition of James Ransome, Young McLemore and James Johnston praying an allowance to be made for Horses sold to Robert Burton for the use of the Southern Army under a resolution of the General Assembly, was referred, Report,

That the said James Ransome, Young McLemore, and James Johnston have already received certificates for the Horses so sold, and as your Committee think no distinction ought to be made in the supplies granted by the Citizens they therefore beg leave to recommend that the said Petition be rejected.

All which is submitted.

THOMAS PERSON, Ch'n.

The House taking this report into consideration concurred therewith.

Mr. Person, from the Committee of Propositions and Grievances, delivered in the following Report, to-wit:

The Committee to whom the Memorial of John Ellis of Bladen County, was referred, Report,

That at a Sale of Public Property in said County the said Ellis purchased a Steer, which afterwards was proved to be the property of a certain John Council, and paid the sum of fifteen pounds and Ten Shillings in Specie Certificates as appears by the receipt of the Sheriff of said County.

Your Committee are of opinion that he be allowed the aforesaid Sum and recommend the following resolution:

Resolved, That the Comptroller be and he is hereby directed to issue to the said John Ellis a Certificate to be of equal value of Specie Certificates for the aforesaid amount.

Which is submitted.

THOMAS PERSON, Ch'n.

The House taking this report into Consideration Concurred therewith.

Received from the Senate a Bill to amend an Act intitled "an Act for the promotion of learning in the district of Wilmington." Endorsed, read the second time and passed.

Received from the Senate the Report of the Committee on the

representation of Timothy Bloodworth, late Treasurer of Wilmington District. Endorsed, read and Concurred with. This report being read was concurred with and returned.

Received also a Resolution of the Senate directing the Clerk thereof to deliver Mr. Bloodworth a certain Certificate therein alluded to: which being read, was concurred with & returned.

Resolved, That the allowance to the Members of this Assembly be Twenty Shillings per day during their attendance, and the like sum for every thirty Miles travelling to and returning from the same, and that the Clerks proceed to make up the estimate to Saturday next inclusive.

Received from the Senate a Letter from Benjamin Hawkins, Esquire, addressed to the General Assembly. Endorsed, read and referred to the Committee on Revenue. This letter being read was referred as by the Senate and returned.

Ordered that Mr. M. King have leave to absent himself from the service of this House after Friday, and Mr. Branch and Mr. J. Jones after To-morrow.

The Bill to amend an Act entitled "an Act for the promotion of learning in the district of Wilmington," was read the third time, passed and sent to the Senate.

Received from the Senate the Petition of Samuel Russell, and the Petition of John Humphries. Endorsed, read and referred as by the House of Commons.

Received from the Senate a Bill to establish a Company for opening the navigation of the Catawba River. Endorsed, read the second time and passed.

Resolved, That any seven of the Members on the Committee to whom was referred the Western payrolls, be considered a quorum to proceed on business.

Received from the Senate a Resolution of that House recommending to the people of this State to authorize and direct their representatives to be elected for the purpose of deliberating on the Federal Constitution, &c., to take under their consideration the Second and third Articles of the Constitution, which being read was rejected.

Received from the Senate the following Message:

Mr. Speaker & Gentlemen:

We agree to ballot at the time mentioned in your Message for two Persons to attend the business of settling the accounts of this State

with the United States. We also agree to ballot for officers of Cavalry for the District of Washington and approve of the nomination by you made, Valentine Sevier excepted, it not appearing to this House that he has availed himself of the Act of Pardon and oblivion of the last Session of Assembly.

We have added to the Nomination for Colo. of Cavalry, Mr. Landon Carter and Mr. William Cocke.

The Bill to establish a Company for opening the navigation of the Catawba River, was read the Second time, passed and sent to the Senate.

Received from the Senate the Petition of William Graham. Endorsed, read and referred to Mr. Graham, Mr. Macon, Mr. Singleton & Mr. Hunt; which being read, was referred on the part of this House, to Mr. S. Allen, Mr. Caldwell, Mr. Porter and Mr. Maclaine and returned.

Ordered that the following Message be sent to the Senate:

Mr. Speaker & Gentlemen:

We propose balloting for a Colo. of Cavalry for Hillsborough District at the same time the other officers are to be balloted for, and nominate Colo. Alexander Mebane.

Mr. Person, offered the following resolution to the House, to-wit:

Whereas, it is represented to this present General Assembly, that some of the Justices of the Peace in this State have heretofore received Inventories of property subject to Taxation, without Administering an Oath as the law requires.

Resolved, That it be recommended to the Attorney General of this State, upon information to him made of the like offence being hereafter committed by any Justice of the Peace within this State, to prosecute such offender without delay.

The question "will the House enter into this resolution or not," being put was Negatived; whereupon, the Yeas and Nays were required by Mr. Person, which are as follows:

Yeas—Messrs. Creecy, Graves, Hardiman, Killebrew, Gowdy, Hamilton, Maclaine, Slade, Phifer, Jo. Douglass, Bonds, Bethell, Brown (of Wilkes), E. Jones, Person, May, Carson.—17.

Nays—Messrs. J. Brown (Bladen,), Pugh, Cains, McDowall, Jun., Cabarrus, Fulford, Groves, P. Dauge, McKay, B. Douglass, Robeson, J. Hill, Mitchell, J. Jones, W. Ward, Mebane, Grant, Skinner, Harvey, Moye, S. Allen, Wood, Bell, Caldwell, Porter, Philips, Barnes,

N. Brown, Clendenning, Blair, Herndon, Hinton, Tatom, Steele, Lindley, Lassiter, Martin, Lennard, Lenoir, J. P. Williams, Devane, Holmes, Mears, Maxwell, T. King, Harden, Outlaw, Cocke.—48.

Mr. Cabarrus, from the Committee on Revenue, delivered in the following Report, to-wit:

The Sub-Committee No. 3, appointed to examine the accounts of Commissioners of Confiscated Property, &c., Report,

That the amount of the sales of Confiscated property in the district of New Bern is £14,294, and that James Armstrong, the Commissioner, at two payments, vizt: May 22nd & Dec. 20th, in the year 1786, paid the whole sum above mentioned into the Comptroller's office.

That the sales of Confiscated property in the District of Halifax amounts to £24,903. And that Nicholas Long, the Commissioner, at two payments, Vizt: July 17th & December 21st, 1786, paid the sum aforesaid into the Comptroller's office.

That the sales of confiscated property in the District of Salisbury amount to £33,316 00 6, and that Charles Bruce, the Commissioner, paid £15,414 4 7 into the Comptroller's office on the 11th Day of December, 1786, which being deducted leaves a balance due to the State of £17,901 15 11.

That the sales of Confiscated property in the District of Edenton amount to £42,916 4, and that Hardy Murfree, the Commissioner, paid £30,583 14 9 into the Comptroller's office on the 11th day of October, 1786, which being deducted leaves a balance due to the State of £12,332 9 3.

That Archibald Lytle, Commissioner for the District of Hillsborough, sold to the amount of £38,714 18 4 and paid £19,701 19 5 Nov. 23rd, 1786, which being deducted leaves a balance due to the State of £19,012 18 11, exclusive of the amount of the sale No. 19, in Randolph County, which said Lytle omitted to debit himself with, and the amount of which is unknown to your Committee.

And the sales of Confiscated property in the District of Wilmington amount to £46,607 9, And that Griffith John McRee, at two payments, vizt: Nov. 29th and December 11th, 1786, paid into the Comptroller's office £20,141 7 2, which being deducted leaves a balance of £26,466 1 10 due to the State.

The amount of all the balances is as follows:

| | | | |
|---|---|---|---|
| In the hands of Chas. Bruce, Salisbury | £ 17,901 | 15 | 11 |
| Of Hardy Murfree, Edenton | 12,332 | 9 | 3 |
| Of Arch. Lytle, Hillsborough | 19,012 | 18 | 11 |
| Of Griffith J. McRee, Wilmington | 26,466 | 1 | 10 |
| | £75,713 | 5 | 11 |

It appears from the Report of Arch. Lytle, Commissioner for the District of Hillsborough, that Bonds, reciprocal, have passed between H. E. McCullock, or his Agents, and the Citizens of this State, in said District, the former to make titles to, the latter to pay for, Lands which are subject to Confiscation. The same case occurs in Mecklenburg County, (Salisbury District), as appears by the Petition of Sundry Inhabitants of Mecklenburg County.

Your Committee are of opinion that the State ought to comply with the Contracts made by H. E. McCullock or his Agents, and also with similar contracts made by any other person, under the like circumstances. They therefore recommend that such purchasers shall have grants for the said Land on payment of the Money due, with a deduction of Interest for Six Years, as the Law directs in other cases.

The Commissioners for Hillsborough and Wilmington Districts represent that there are other Confiscated Lands, distinct from those above described, which hitherto, they have not been able to sell, either for want of Surveys or by reason of disputes respecting the Titles, and recommend an amendment of the Law which relates to this subject, and your Committee coincide with them in opinion.

The Commissioner for the District of Edenton States in his Letter to the Governor, that he has commenced Suits against Sundry purchasers of Confiscated property, and that the Judges have hitherto postponed the tryal of said Suits, by which means the Commissioner is prevented from making a final settlement with the public, and therefore cannot draw his Commissions on any part of them.

Your Committee are of opinion that the said Commissioner, and the other Commissioners under like Circumstances, ought to have a Specie Certificate for their Commissions on the payments made by them into the Comptroller's office, and recommend that the General Assembly pass a Resolution to that Effect.

Submitted.

WILLIE JONES.

The foregoing report being read by the Committee on Public Revenue, was ordered to be reported to the House.

S. CABARRUS, Ch'n.

The House taking this report into Consideration Concurred therewith.

Received from the Senate the following Message:

Mr. Speaker & Gentlemen:

We agree to ballot for a Colonel of Cavalry for the district of Hillsborough, and add to the nomination Mr. William Hunt.

Ordered that the following Message be sent to the Senate:

Mr. Speaker & Gentlemen:

We have appointed Mr. Harvey and Mr. Mitchell to superintend the balloting heretofore agreed upon & propose that the whole of the Persons to be balloted for having the greatest number of Votes shall be declared duly Elected, tho' they may fall short of having a Majority of Votes.

Received from the Senate the following rsolutions of this House concurred with, to-wit:

Directing the Treasurer immediately to lay before the General Assembly a list of delinquents;

Directing Seven Members of the Committee on payrolls to proceed on business;

Declaring the Members of the present General Assembly shall receive Twenty Shillings per Day for attendance, and the like Sum for every Thirty Miles Travelling to & from this Session.

Received from the Senate the following Message:

Mr. Speaker & Gentlemen:

We are also ready to proceed on the balloting, and have appointed Mr Overton and Mr. McCawley to Superintend the same on behalf of this House. We agree that the persons having the greatest number of Votes for the several appointments be declared duly Elected.

Received from the Senate a Bill for levying a Tax for the support of Government, and for the redemption of the old paper Currency, Continental Money, and Specie and other Certificates, and for sinking the State Currency. Endorsed, read the Second time, amended and passed.

Ordered that this Bill be read the Second time To-morrow.

Received from the Senate the Report of the Committee on Public Revenue, on the State of the Treasury, Monies collected in 1788 with the application, &c., and on the Martinique Demand, and the report of the Commitee on the Memorial of Jane Simpson. Endorsed, read and Concurred with.

Mr. Person, from the Committee of Propositions and Grievances, delivered in the following Report:

The Committee, to whom the Petition of Chirstopher Reddick was referred, report,

That by a Certificate from the Surveyor of the County of Gates it appears, that an entry made by Mary Reddick in said County for one Thousand Acres of Land, by admeasurement contained only Seven Hundred and Fifty-Six, whereby the said Mary or her assignee became, under the law passed at ———————— 178—, intitled to the Sum of Twenty-four pounds eight shillings as over paid for the said entry, your Committee therefore recommend the following resolution,

Resolved, That the present entry taker of Gates County pay to the said Mary Reddick or assignee, the aforesaid Sum of Twenty-four Pounds eight Shillings in Certificates, out of such as he may have received for Land entered, and be allowed for the same in his settlement with the Treasurer.

All which is submitted.

THOMAS PERSON, Ch'n.

The House taking the foregoing report into consideration Concurred therewith.

Mr. Person, from the Committee of Propositions and Grievances, delivered in the following report, to-wit:

The Committee to whom the Petition of Robert Alexander, Commissioner of the Specific provision tax for Lincoln County, was referred, Report,

That it appears by a statement of the Comptroller's, that the said Alexander received from Benjamin Hawkins, Commissioner of Trade, one hundred Bushels of Salt, Sixty Eight of which he produced proper vouchers for in his office, the remaining thirty-two bushels Mr. Alexander made appear by his Oath he had fully accounted for with the Auditor of Morgan District. Your Committee therefore beg leave to recommend the following resolution,

Resolved, That the Comptroller be and he is hereby directed to balance the account of the said Robert Alexander so far as relates to the said Salt.

All which is submitted.

THOMAS PERSON, Ch'n.

The House taking this report into Consideration Concurred therewith.

Mr. Person, from the Committee of Propositions and Grievances, delivered in the following report, to-wit:

The Committee to whom the Petition of Sundry the Inhabitants of Pasquotank County on behalf of a certain David Davis was referred, report,

That the said Davis became bound in recognizance in the Sum of Ninety pounds, and his Securities in the Sum of forty-five pounds each, for his, the said Davis's, good behavior, That by provocation and Insulting language, He was induced to break the Peace and the Recognizances thereby became forfeited.

Your Committee on examining the said Petition signed by so many of the respectable Citizens of the said County, and being further informed by Colonel Harvey and several other members of the Assembly, that the said infraction of the Peace arose purely from the sudden gust of passion and not from the general tenor or cast of the mind of the said Davis, are induced to believe the said forfeitures ought to be remitted, and this belief is more especially founded on the further information the Committee have received that the County Court of Pasquotank were induced to suspend the issuing of the Execution until this Assembly, in order that the said Davis might be released from the forfeiture aforesaid; they therefore beg leave to recommend the following resolution,

Resolved, That David Davis, together with his Securities, be released from the pains and penalties of the aforesaid forfeitures, and that the County Court of Pasquotank take order accordingly.

All which is submitted.

THOMAS PERSON, Ch'n.

The House taking this report into consderation concurred therewith:

The House adjourned until To-morrow Morning 9 O'clock.

THURSDAY, 4 December, 1788.

The House met according to adjournment.

Mr. Harvey, from the joint balloting for two Agents to Superintend the Settlement of the accounts of this State, &c., Military officers for the District of Washington and a Colo. of Cavalry for the District of Hillsborough,

Reported, That Hugh Williamson and Abishai Thomas, Esquires, were appointed Agents.

Thomas King, Colonel of Cavalry for Washington District; Landon Carter, First Major, and Francis Alexander Ramsey Second Major; Alexander Mebane, Esquire, Colonel of Cavalry in the District of Hillsborough.

The House taking this report into Consideration concurred therewith.

On reading the Tax Bill an amendment was proposed to be made therein by Mr. McDowall, by striking out the word *three* and inserting in the place thereof the word *four* which related to the Tax to be paid in Certificates on each hundred acres of Land; this being objected to, the question was put and carried in the affirmative; whereupon, the Yeas and Nays were required by Mr. Person, which are as follows, to-wit:

Yeas—Messrs. J. Brown (Bladen), Horn, Pugh, Cains, McDowall, McDowall, Jun., J. Allen, Cabarrus, Creecy, Tho. Pool Williams, G. Dauge, P. Dauge, Sawyer, McKay, J. Hill, Harris, Grove, J. Jones, Baker, W. Ward, J. Bryan, Maclaine, Ussory, Phifer, Grant, D. Davis, Skinner, Harvey, Moye, S. Allen, Caldwell, Barnes, N. Brown, Hawkins, Montfort, Hinton, Sanders, Branch, Cumming, Steele, Lindley, Lassiter, Lennard, Carson, H. Hill, Maxwell, Har, din, Cocke, Outlaw, E. Jones, Yates.—51.

Nays—Messrs. Fulford, B. Douglass, Grove, Anderson, Jo. Stewart, Roberson, Hardiman, Killebrew, Mitchell, Hamilton, Gowdy, Moore, Slade, Tindall, Bonds, Mebane, Wood, Bell, Porter, Walton, Clendenning, Spruill, Jas. Stewart, Blair, Brown (Wilkes), Herndon, Person, Holmes, Martin, Lanier, May, Withrow, J. P. Williams, Mears, T. King.—35.

Received from the Senate a Bill to punish persons guilty of Adultery, Incest and Polygamy, and a Bill directing a method to be observed by the County Courts in laying and appropriating County Taxes and appointing the County officers therein mentioned, and

to impower the County Courts of Moore to levy a Tax, &c. Endorsed, read the first time and passed.

The Bill for levying a Tax for the support of Government, and for the redemption of the old paper Currency, Continental Money, and Specie and other Certificates, and for sinking the State Currency, was read the Second time, amended passed and sent to the Senate.

Mr. Cabarrus, from the Committee on Revenue, delivered in the following Report, to-wit:

The Sub-Committee on Revenue No. 5, consisting of Mr. Cumming, Mr. Lindley, Mr. Person and Mr. Gallaway appointed to resolution, as appears by a copy of such list of balances made out and Report,

That by a resolution of the last General Assembly the Comptroller was directed annually to make out and deliver to the Treasurer a list of balances due on his Books from Individuals to the State, on which the Treasurer was directed to institute Suits for the recovery of such balances, and that the Comptroller has complied with such resolution, as appears by a copy of such list of balances made out and furnished to the Treasurer as aforesaid, which Copy is herewith presented.

The Sub-Committee are of opinion that the resolution aforesaid was founded in good policy, and has produced good effect, as the list and amount of balances for the present year appears to be considerably diminished when compared with that of the last; they therefore recommend that the said resolution be continued in full force, and that where Suits have been or shall be instituted by the Treasurer for recovering as aforesaid, for an Article or Articles the price or prices of which is not ascertained in said list, then, and in that Case, the Juries who shall sit on trial of such Suits, shall from the best information they can obtain ascertain and fix the price or prices of such Article or Articles as aforesaid, and give their Verdict accordingly.

All which is submitted.

JAMES GALLAWAY, Ch'n.

The Committee on Revenue taking the foregoing report into con-

sideration concurred therewith, and ordered it to be reported to the House.

S. CABARRUS, Ch'n.

The House taking this report into consideration Concurred therewith.

Mr. Person, from the Commitee to whom was referred the Petition of Colo. Joseph Leech, delivered in a Report; which being read, was laid over until the next Assembly.

Whereas, the report of the Committee on the accounts of Colo. Joseph Leech is laid over until the next Assembly for further information and Satisfaction, and it appearing that Colo. Leech is much distressed by not having his accounts settled and himself thereby enabled to receive the balance due him, therefore,

Resolved, That the Treasurer be, and he is hereby authorized and required to advance to Colo. Joseph Leech, one month after date, the Sum of one Thousand pounds, taking his Bond for the same, for which Colo. Leech shall be accountable to the public.

Received from the Senate a Bill to amend an Act intitled "an Act directing the sale of Confiscated property." Endorsed, read the second time and passed.

Mr. Lanier presented the resignation of Jesse Gilbert a Justice of the Peace for Anson County, which being read, was accepted by this House and sent to the Senate.

Mr. Cumming, who had leave to withdraw for amendment the Bill to explain an Act directing the duty of Naval officers and all Masters of Vessels coming into any of the Ports or Inlets of this State, delivered in at the Clerk's Table the Bill, with the amendments; which was read the second time, the amendments inserted therein, passed and sent to the Senate.

Received from the Senate a resolution of that House directing the Clerks of the Assembly to furnish His Excellency the Governor, with the Copies, &c., therein referred to; which being read, was Concurred with and returned.

Received from the Senate the following Message:

Mr. Speaker & Gentlemen:

We have received a resolution of your House in favour of Joseph Leech, Esq., with which we will concur, provided you will agree to insert the words *"at the expiration of one month after date"* imme-

diately following the name of Joseph Leech in the Eleventh line thereof.

Ordered that the following Message be sent to the Senate:

Mr Speaker & Gentlemen:

We have made the Resolution of this House in favour of Colo. Leech conformable to your proposition & now send it for Concurrence.

Received from the Senate the Report of the Committee appointed to prepare Instructions for the Commissioner appointed to hold a Treaty with the Indians, &c. Endorsed, read and concurred with; which report being read was Concurred with by this House and returned.

Whereas, the Counties of Cumberland, Sampson, Robeson and Moore, formerly of Wilmington District, and the County of Richmond formerly of Salisbury District, were and are now erected into a District by the name of Fayetteville District, therefore,

Resolved, That the Public Printers of this State, be and they are hereby directed and required to deliver to the Clerk of the Superior Court of Fayetteville District, all the Laws and Journals of each Session which were heretofore allotted for the several counties herein before mentioned.

And whereas, it is found expedient that at least two of the Commissioners for building the District Gaol at Fayetteville, should reside in the Town for the purpose & convenience of Superintending the building,

Resolved therefore, That Robert Adam and William B. Grove, be and they are hereby added to & appointed Commissioners for Contracting & building the Gaol, to act in conjunction with the Commissioners already appointed.

Received from the Senate a Bill to regulate the Inspection of Tobacco in this State, and to repeal part of the said Act. Endorsed, read the third time and passed.

The Bill to amend an Act intitled "an Act directing the Sale of Confiscated property," was read the Second time, amended and laid over until the next Assembly.

Received from the Senate a resolution of that House directing the Clerk of Perquimans County Court to grant a permit to James Forster to vend goods as a peddler, which being read, was Concurred with and returned.

Ordered that Mr. May have leave to absent himself from the service of this House.

The Bill to punish persons guilty of Adultery, Incest and Polygamy, was read the Second time, passed and sent to the Senate.

The Bill directing the method to be observed by the County Courts in levying and appointing the County officers therein mentioned, and to impower the County Court of Moore to levy a Tax on the Inhabitants thereof to repair the Court House, prison and Stocks in said County, was read the first time & laid over until the next Assembly.

Received from the Senate a Resolution of that House directing the Commissioner of Confiscated property for the District of Salisbury to forbear to collect the Money arising from the Sale of certain Lands therein mentioned, until the end of the next Assembly; which being read, was Concurred with and returned.

Received, also, a resolution directing the Treasurer to forbear commencing Suit on any Bond given for Confiscated property purchased in the year 1782, until the end of Eight Months; which being read, was Concurred with and returned.

Received from the Public Treasurer the following representation,

To the Honourable the General Assembly of the State of North Carolina:

Gentlemen:

Pursuant to Act of Assembly I lay before you herewith, for publication, accounts of the receipts and expenditures in my office from the first day of November, 1787, to the first day of November, 1788. The General Assembly will observe that the accounts are so stated, as to include in the one, all Sums paid on account of arrearages, to-wit: for Monies due previous to the first day of January, 1788, (from which time forward the Comptroller's charges the Treasurer with the Public Taxes, &c.), and in the other, all sums paid on account of the taxes of the year 1787. In the account of arrearages the amount of the debits or disbursements exceeds that of the receipts, which is occasioned by too great a number of warrants having been accidentally charged in the Books on which that account is founded, the balance is therefore carried forward and placed to my credit in the account current of the Taxes of the year 1787; that account will show, at one view, the amount of the Money and Certificates which were in my hands on the first day of November last and remain yet to be accounted for. After the account of arrearages is added a list of the

Balances due from the several Sheriffs in this State for the years 1784, 1785 and 1786. The want of proper returns prevented the Comptroller from making report to me of the Sums due from the Several Sheriffs on account of the Taxes of 1787, and his failure in this particular renders it impracticable for me to ascertain the balances due from those Sheriffs, a number of whom have settled up fully and finally, others in part only, and some have failed altogether; by the next Assembly, however, I hope to be able to give a better account of them.

The accounts of the Collectors of Impost stand Stated on my books up to the 31st day of December last, inclusive, except that of the Collector of Port Bath, which has been rendered only to the 25th of September, 1787. On those accounts the balances appear as follows, to-wit: against the Collector of Port Currituck the Sum of Eleven Hundred and Forty-five pounds three Shillings and eleven pence. £1,145 3 11.

Against the Collector of Port Roanoke, the Sum of Three Thousand eight hundred and sixty-four pounds seven shillings. £3,864 7.

In favour of the Collector of Port Bath the Sum of one pound eighteen Shillings and four pence one farthing. £1 18 4 ¼.

Against the Collector of Port Beaufort the Sum of two thousand four hundred & fifty eight pounds fourteen Shillings & Ten pence one farthing. £2,458 14 10 ¼.

(Error in this balance, see the last Entry on the Journal, for the right sum.)

Against the Collector of Port Brunswick the Sum of Three Thousand and Ninety pounds nineteen Shillings and three farthings. £3,090 19 0 ¾.

And against John McCullock Collector of Port Brunswick, as by the Comptroller's Report on his account rendered up to the 29th July, 1788, the Sum of Fifty-two pounds ten Shillings and two pence. £52 10 2.

The Collectors generally have, I believe, rendered their accounts for part of the year 1788 to the Comptroller, but they have not been reported on account of the doubts which prevailed as to their Commission on drawbacks and reshipments, which I have already, in the course of the present Session, attempted to explain to the General Assembly. The balances against the Collectors appear large, but it is to be remembered they must at all times be in arrear on account

of the credit which the Law compels them to give the Merchant.

JOHN HAYWOOD, Pub. Treasurer.

Mr. Steele moved for leave and entered a protest against the report of the Committee on the Confiscated Land yet unsold, in the following words:

Dissentient.

Because, H. E. McCullock being a real British subject is intitled under the Treaty of Peace to collect his debts in Sterling Money.

Because, If it is necessary for North Carolina to receive these debts, it should be done in Gold and Silver agreeably to the original Contract entered into between the said H. E. McCullock and the Grantees, striking off Six years Interest as in other Cases, by which precaution the State cannot be injured should the Superintendant Govt. hereafter direct such money to be reimbursed.

Because, It is unjust and impolitic to receive paper Money for these debts tending only to promote the Interest of a few Individuals, which must hereafter be paid in Gold and Silver collected by General Tax.

Because, It was proposed to amend the report in the following manner: That Deeds should be made by the State in all cases where it might be made appear to the satisfaction of the General Assembly that reciprocal Bonds had passed between the Citizens of this State and the British subjects, the Grantees previously entering into Bond (with a mortgage on the Land as Security) conditioned to pay the full Sum with interest (except Six years) in gold and silver to the Governor, or any other person hereafter legally authorized to receive it, agreeably to his, or their original Contract.

Because, The same or a similar question was negatived in the last session at Tarborough, by a very full House, and therefore ought not to have been decided so hastily, at so late a period of the present session, after a great number of the Members had obtained leave of absence.

JNO. STEELE,
THOS. CARSON,
CALEB PHIFER,
JO. McDOWALL, Jun.,
WM. PORTER,
DAVID CALDWELL.

The House adjourned until To-morrow morning 9 O'clock.

FRIDAY, 5 December, 1788.

The House met according to adjournment.

Ordered that the Bill to levy a tax in Gold or Silver, or Specific Articles, to pay Interest of the foreign Debt, be laid over until the next Assembly.

Resolved, That the Public Treasurer be and he is hereby directed to pay as follows, to-wit: To William Muzzell of Orange County for carting the Books and papers in the Treasury office from Hillsborough to the Town of Tarborough, in the month of November, 1787, the Sum of fifteen pounds; to Hardy Jones for carting the said Books and papers from Tarborough to Hillsborough, in the Month of March last, the Sum of fifteen pounds, and to John Taylor for Carting the said Books and papers from the Town of Hillsborough to Fayetteville, in the Month of November, 1788, the Sum of Ten pounds, for which this shall be his sufficient voucher.

Mr. Person, from the Committee of Propositions and Grievances, delivered in the following report on the Petition of John Armstrong, to-wit:

That the said Armstrong purchased of Charles Bruce, Esquire, Commissioner of Confiscated Property, a Tract of Land supposed to contain two Hundred Acres, late the property of Edward Turner of Rowan County, and Confiscated, for the Sum of one Thousand and Twenty-five pounds in Certificates; That by admeasurement the said tract of Land contained only one hundred and Sixty-two Acres, and the said Armstrong received a grant for that quantity. The Committee are of opinion that the Commissioner aforesaid refund to John Armstrong the Sum of one hundred and Ninety-four pounds five Shillings in Certificates, which he appears to have overpaid.

All which is submitted.

THOMAS PERSON, Ch'n.

The House taking this report into Consideration Concurred therewith.

Received from the Senate a Bill to amend the Revenue Laws. Endorsed, read the first time and passed.

Mr. Person, from the Committee of Propositions and Grievances, delivered in the following Report, to-wit:

The Committee to whom the Petition of John Humphries was referred, Report,

That in the year 1781, three hogsheads of rum was impressed from the said Humphries in the Town of Halifax, for the use of the State, as appears by proper Warrants and Certificates, amounting in the whole to three Hundred and nine Gallons.

The Committee are of opinion the said Humphries ought to be paid by the Treasury for the said three Hogsheads of rum at Sixteen Shillings per Gallon, which amounts to the Sum of two hundred and forty seven pounds four Shillings, and beg leave to recommend the following Resolution,

Resolved, That His Excellency the Governor, be and he is hereby directed to issue a warrant on the Treasury in favour of John Humphries for the aforesaid Sum of two Hundred and forty Seven pounds four Shillings, in full payment for the aforesaid three hundred and Nine Gallons of Rum.

All which is submitted.

THOMAS PERSON, Ch'n.

The House taking this report into Consideration Concurred therewith.

The question was put, "will the House concur with this report or not," & was carried in the affirmative; whereupon, the Yeas and Nays were required by Mr. Bond, which are as follows:

Yeas—Messrs. Pugh, J. Allen, Cabarrus, Fulford, Thos. Pool Williams, G. Dauge, P. Dauge, Sawyer, McKay, Robeson, Hardiman, J. Hill, Mitchell, J. Jones, Baker, J. Bryan, J. H. Bryan, Moore, W. Williams, Slade, Yates, Grant, D. Davis, Skinner, Harvey, Moye, S. Allen, Caldwell, Barnes, Walton, Spruill, Montfort, J. Brown (Wilkes), Cumming, E. Jones, Steele, Person, W. Martin, Withrow, H. Hill, J. P. Williams, Maxwell.—42.

Nays—Messrs. J. Brown (Bladen), Cains, B. Douglass, Graves, Dixon, Killebrew, Hamilton, Gowdy, Ussory, Bond, Mebane, Wood, Bell, Porter, Bethell, Phillips, Clendenning, Jas. Stewart, Blair, Lindley, Holmes, Lennard, May, Carson, Scott, T. King, Hardin, Outlaw, Cocke.—29.

Mr. Person, from the Committee of Propositions and Grievances, delivered in the following Report,

That the said John Devane and Richard Herring drew from the Treasury of this State the Sum of one thousand pounds to enable them to carry on a Gun Manufactory in the district of Wilmington. That by receipts from proper officers it appears they delivered one

hundred Muskets with Bayonetts, three Rifles, & Six Smooth Guns. That afterwards the said factory, with a quantity of Gun barrels, were destroyed by the Tories, and by the accident of War the vouchers of the application of the aforesaid Money have been lost, and the said Petitioners prevented from Settling for the same.

The Committee, from these circumstances, are induced to recommend that the said accot. be closed; wherefore,

Resolved, That the Comptroller be and he is hereby directed to finally close the account of the said John Devane and Richard Herring for the monies drawn as aforesaid.

Which is submitted.

THOMAS PERSON, Ch'n.

The House taking this report into Consideration Concurred therewith.

Mr. Person, from the Committee of Propositions and Grievances, delivered in the following Report, to-wit:

The Committee, to whom the Petition of Hugh McDonald of the Town of Fayetteville, was referred, praying an allowance to be made him for the use of his house at the Sessions of Assembly, 1786, as a guard House for the prisoners, Report,

Tht by a Certificate of Thomas Armstrong, Colonel of Cumberland County, it appears he had the use of a house of the said Hugh McDonald Twenty-seven days for the above purpose.

The Commitee are therefore of opinion that he be allowed Ten Shillings per day, making thirteen pounds ten Shillings, and recommended the following resolution,

Resolved, That His Excellency the Governor, be, and he is hereby directed to Grant a Warrant on the Treasury in favour of Hugh McDonald (payable Thirty days after date) for the Sum of Thirteen Pounds Ten Shillings in full consideration for the use of his House for the prisoners at the Session of Assembly in 1786.

All which is submitted.

THOMAS PERSON, Ch'n.

The House taking this report into considertion Concurred therewith.

The Bill to amend the Revenue Laws, was read the first time, amended, passed and sent to the Senate.

Received from the Senate a Resolution of that House directing the Treasurer to repay to the late Elizabeth Williams, now Wil-

liamson, a certain Sum therein mentioned; which being read, was concurred with & returned.

Mr. Person, from the Committee of Propositions and Grievances, delivered in a report on the Petition of Arch'd Lytle, which being read, was ordered to lie on the Table without further order.

Mr. Person, from the Committee of Propositions and Grievances, delivered in the following Report,

The Committee to whom the Memorial of James Britain was referred Report,

That the said James Britain entered into the service of the United States, and whilst in service a certain George Killion entered a piece of Land to which he had the right of pre-occupancy, and obtained a Grant for the same previous to his return, whereby he lost the opportunity of Entering the said Land, or availing himself of the Law allowing absentees to enter Caveats, &c.

The Committee on considering the presumptions, are of opinion the grievance complained of is only remediable in a Court of Equity, they therefore recommend that the said Memorial be rejected.

All which is submitted.

THOMAS PERSON, Ch'n.

The House taking this report into Consideration Concurred therewith.

The Committee to whom the Memorial of John Baptist Ashe was referred, Report,

That the said John B. Ashe purchased of Colo. Nicholas Long, Commissioner of Confiscated property for the District of Halifax, three small Tracts of Land condemned by the County Court of Halifax as the property of Archibald Hamilton & Company, for the Sum of Six hundred and Eighty Six pounds Eleven Shillings & five pence in Certificates. That it appears by a Copy of the Verdict of a Jury herewith presented; the property of the said three tracts of Land was in Edward Moore.

The Committee under these circumstances recommend, that the Comptroller be, and he is hereby directed to issue a Certificate to the said John B. Ashe of four hundred and Seventy-four pounds to be of equal value to District Auditor's Certificates in place and stead of that Sum paid by the said Ashe in discharge of the aforesaid Contract.

THOMAS PERSON, Ch'n.

The House taking this report into Consideration Concurred therewith.

Received from the Senate a Bill to explain an Act directing the duty of Naval Officers and all Masters of Vessels coming into any of the Ports or Inlets of this State. Endorsed, read the second time and passed.

This Bill was taken up and read the third time, amended, passed and sent to the Senate.

Received from the Senate a resolve of that house allowing the Clerk thereof Twent-five pounds, and one other resolution directing the Treasurer not to allow in settlement with Entry Takers either Interest or Commissions; which being read were Concurred with and returned.

Resolved, That Thomas Bridges be allowed the Sum of fifteen pounds for removing the Public papers of the General Assembly in possession of the Clerk of the House of Commons, from Tarborough to Fayetteville, and that the Treasurer pay the same.

Received from the Senate a Bill for the relief of persons who have or may hereafter forfeit their recognizance in the Superior and County Courts. Endorsed, read the second time, amended and passed.

This Bill was taken up and read the third time, passed and sent to the Senate.

Received from the Senate the Report of the Committee on the Petition of Charles Simpson, in behalf of the Orphans of John Gilliard. Endorsed, read & Concurred with; which report being read, was concurred with and returned.

Mr. Person, from the Committee of Propositions and Grievances, delivered in the following report,

The Committee to whom the Petition of James Kerr was referred, Report,

That as Commissioner of the Specific of Provision in Rowan County, he purchased twenty bushels of Salt and contracted to pay in Tallow, that the Public Tallow in his hands not being sufficient, he borrowed on his own credit three hundred and thirty-three pounds weight to discharge the aforesaid contract, the value of which he hath been compelled to pay as per warrant and judgement herewith presented, amounting to Thirteen pounds Seven Shillings and Six pence. That as Commissioner aforesaid, he also borrowed twenty

bushels of Indian Corn on his private Credit, which he delivered to Genl. Morgan's detachment, and hath been compelled to pay Three pounds fifteen Shillings for the same. The Committee are of opinion that the aforesaid Sums amounting to Seventeen pounds Twelve Shillings and Six pence ought to be paid by the Treasury. They therefore recommend the following resolution,

Resolved, That His Excellency the Governor, be, and he is hereby requested to issue a warrant on the Treasury in favour of James Kerr, for Seventeen pounds twelve Shillings and Six pence, payable thirty days after the date thereof, in full for the foregoing judgment and disbursement.

Which is submitted.

THOMAS PERSON,. Ch'n.

The House taking this report into consideration concurred therewith.

Mr. Person, from the Committee of Propositions and Grievances, delivered in the following report,

The Committee to whom the Petition of Doctor Andrew Bass was referred, on the Subject of Cattle taken by the British Army under Command of Lord Cornwallis, which he had previously sold to the Commissioner (tho' not delivered) of the Specific provision Tax for Wayne County, Report,

That it appears by the Certificate of the said Commissioner, the Doctor had contracted with him for a certain number of Cattle, but the Committee not being convinced by satisfactory Testimony an allowance had not heretofore been made for the same, are of opinion the said Petition be rejected.

Which is submitted.

THOMAS PERSON, Ch'n.

The House taking this report into consideration Concurred therewith.

Mr. Cabarrus, from the Commitee on Revenue, delivered in a report, which being read and amended, was agreed to in the following words, to-wit:

The Commitee on Revenue, to whom was referred the Letter of Benjamin Hawkins, Esquire, of the 3rd instant, relative to the Certificate Scale of Depreciation as established by Law, and the necessity of collecting letters and other vouchers of the Generals and

other officers of the United States during the late War, Report,

On the Second part relative to the Certificate Scale of Depreciation established by Law, the Committee are of opinion that the State cannot be affected in the settlement of their accounts with the United States, as the accounts are stated from the original vouchers granted to individuals for Supplies and services rendered, and not on Certificates granted by this State, and that one General plan will be adopted by the Board of Commissioners appointed by Congress to adjust the accounts of the Union, consequently that such plan cannot operate partially against the claims of this State.

On the third part of this Letter the Committee are of opinion, and recommend the following resolution to be adopted, vizt.:

Whereas, there are Sundry Letters and other vouchers, of the Generals, and of the other officers in the service of the United States, during the late War, in the hands of the Militia officers, or of private Gentlemen, which may be necessary to elucidate the well founded claims of this State against the United States,

Resolved therefore, That all persons having any such Letters or other Vouchers, be, and they are hereby requested to deliver the same as soon as may be, to William Cocke, for Washington District, to General McDowall for the District of Morgan, Richard Trotter for the District of Salisbury, General Eaton for the District of Halifax, the Comptroller for the District of Hillsborough, General Gregory for the District of Edenton, General Armstrong for the District of New Bern, General Kenan for the District of Wilmington, General Clinton for the District of Fayetteville, who are hereby required without delay to forward the same to the Comptroller who is hereby directed to forward the same to the Agents at New York in order that they may be lodged with the Agents who are appointed to settle their accounts of this State with the United States.

All which is submitted.

S. CABARRUS, Ch'n.

Received from the Senate a Bill to impower the commanding officers of Greene and Hawkins Counties to erect a station or stations on the North side of Tennessee River in the District of Washington, to protect the Citizens of this State to settle on the Lands entered in John Armstrong's office, and to prevent hostilities on the Cumberland Road, and for other purposes therein mentioned. Endorsed, read the second time & passed.

This Bill was taken up and read the third time in this House, was amended, passed and sent to the Senate.

Mr. Person from the Committee of Propositions and Grievances, delivered in the following report,

The Committee to whom the Petition of William Johnson was referred, with certain depositions touching the Mal-practice in office of Thomas Butler, Mark Bennett and James Butler, Justices assigned to keep the peace for Montgomery County, Report,

That they have examined the depositions aforesaid, and are of opinion they are not sufficient to criminate the said Thomas Butler, Mark Bennet and James Butler; therefore they recommend that the said Petition be rejected.

All which is submitted.

THOMAS PERSON, Ch'n.

The House taking this report into consideration Concurred therewith.

Mr. McDowall, from the Commitee to whom was referred the Memorial of William Moore late Sheriff of Burke County, Reported,

That upon examining the facts therein set forth, they find that the Clerk of the Court of Burke County did furnish the Treasurer with the amount of Taxables of said County for 1784, and also furnished the Collectors and Sheriffs with another list of the Taxables, by which they were bound to collect the tax for that year. That when the said Sheriff went to settle the Tax of that year he found he stood charged with a much larger Sum that he had collected; he then made application to the Clerk, who, upon examining the returns found that he had made a mistake in the amount of taxes returned to the Treasurer, and that the list furnished the Sheriff was a true one.

Your Committee are therefore of opinion, as the mistake was with the Clerk, that the said Sheriff be impowered to settle with the Treasurer for the tax of 1784, agreeably to the list furnished him by the Clerk, by which list he collected; which is submitted; and the Committee therefore report the following Resolution as proper to be entered into by the General Assembly, Vizt:

Resolved, That the Public Treasurer be and he is hereby required to balance the accounts of William Moore as Sheriff of Burke county for the year 1784, as they now stand on his books, that he raise a new account against the said Moore as Sheriff aforesaid, and that

the account so by him to be raised be founded on the last return made by the Clerk of the said County, to-wit: the return which the Clerk has certified to be just and accurate, and that in the account so by him to be raised he shall debit and credit the said Moore in like manner as tho' he had not heretofore been charged.

JO. McDOWALL, Ch'n.

The House taking this report into Consideration Concurred therewith.

Received from the Senate a Bill for the recovery of Debts according to Contract. Endorsed, read the first time and passed.

Received also, a Bill to enable and impower the attorney General to commence Suits, &c., upon information that the Treasury hath been injured by pretended Creditors of persons whose estates have been Confiscated, &c. Endorsed, read the Second time and passed.

Mr. Cuming moved for leave to withdraw this Bill for amendment. Ordered that he have leave accordingly.

Whereas, it is represented that a resolution of the General Assembly in April 1783, directing the Auditors of Hillsborough District to issue sundry Certificates therein mentioned, in lieu of others which had been destroyed, was lost and the Certificates never issued agreeably thereto;

Resolved therefore, That the Comptroller be, and he is hereby directed to grant Certificates in favour of John Ledloe, Ezekiel Dollarhide, Hudson Berry, Daniel Parker, Richard Owen and John Aiken for the Sum of Nine pounds four Shillings each, in lieu of the aforesaid, to have interest from the time the aforesaid would have done, had they been granted agreeably to the said receipted resolution.

The Bill for the recovery of Debts according to Contract, was read the first time and Rejected.

A report of the Committee of Claims on the Petition of William Rigsby Murphy, being read, was ordered to lie on the Table without further order.

The Committee of Claims, to whom was referred the Petition and claim of Neill McLean, praying an allowance for Sundry articles of Cloathing furnished the Public, Reported,

That they are of opinion the matter comes properly before the Comptroller, therefore are of opinion they are not at liberty to allow it.

LEWIS DUPREE, Ch'n.

The House taking this report into consideration concurred therewith.

The Chairman of the Committee of Claims delivered in the following Report,

Your Committee to whom was referred the Memorial of William Delancy, Report,

That from the information of Colo. Tipton and Colo. Maxwell, it appears that the said Delancy received a wound in an action under the command of Colo. Tipton, to quell an insurrection in that part of the State, whereby the said William Delancy was much disabled for some months, and in order to be relieved he applied to two Surgeons who charged him for their attendance, &c., Thirty pounds five Shillings and Six pence.

Your Committe are of opinion as the said Delancy was wounded in the Defence of the State against an insurrection excited by John Sevier, that he be allowed the said Sum of Thirty pounds five Shillings and Six pence, and that the Sheriff of Washington County pay the same out of the tax of 1787, and he be allowed the same in his settlement with the Treasurer.

All which is submitted.

LEWIS DUPREE, Ch'n.

The House taking this report into Consideration Concurred therewith·

Received from the Senate a Bill for levying a Tax for the support of Government, &c. Endorsed, read the third time and passed.

Ordered that this Bill be read the third time in this House Tomorrow.

Received from the Senate a Bill to repeal part of an Act intitled "an Act for the revising and collecting the Acts of the General Assembly," &c. Endorsed, read the Second time and passed.

Received from the Senate the resolution of this House directing the Comptroller to issue Certificates of Nine pounds four Shillings each to John Ledloe and others therein named, Concurred with.

Received also the reports of the Committee of Propositions & Grievances on the Petitions of Andrew Bass & Hugh McDonald, concurred with.

Received from the Senate a Bill to prevent in future the diminution of the public revenue of this State by the neglect of the County Courts. Endorsed, read the Second time and passed.

The Bill to establish a Company for opening the Navigation of the Catawba River, was read the third time, passed and ordered to be Engrossed.

Received from the Senate the Resolve of this House allowing Thomas Bridges fifteen Pounds. The resolve directing the Treasurer to advance to Colo. Joseph Leech one Thousand pounds. The resolve directing the Public Printer to deliver to the Clerk of Fayetteville Superior Court the Laws & Journals for that district; and the resolve for appointing Robert Adam & William B. Grove Commissioners to Superintend the building a Gaol in the District of Fayette, severally concurred with.

Received from the Senate a Bill to punish Persons guilty of House breaking and other Crimes. Endorsed, read the second time & passed.

The Bill to repeal part of an Act intitled "an Act for revising and collecting the Acts of the General Assembly of the State of North Carolina, was read the second time, passed and sent to the Senate.

The Bill to prevent in future the diminution of the public revenue of this State by the neglect of the County Courts, was read the Second time, passed and sent to the Senate.

Received from the Senate the report of the Committee on the Petition of Thomas Bloodworth. Endorsed, read and Concurred with; which report being read, was concurred with by this House and returned.

Received from the Senate the following Reports, Concurred with by that House, to-wit:

On the Petition of Neill McLean;
On the Petition of James Witherspoon;
On the Petition of Chirstopher Reddick;
On the Petition of Robert Alexander;
On the Petition of Nathan King;
On the Petition of James Britain;
On the Petition of Neill Ray;
On the Memorial of John Armstrong;
On the Memorial of John Ellis;
On the Petition of John Devane and Richard Herring;
On the Petition of James Kerr, & on the Petition of William Delancy.

Mr. Edward Jones moved for leave to enter the following protest.

Dissentient.

Because, The *principle* of Government entering into Mercantile Speculations is bad in its Self, and has pernicious tendencies.

Because, From experience we have found the State purchase of Tobacco inexpedient and oppressive.

Because, The purchase of Tobacco has depreciated our paper Currency which public faith was bound to support.

Bcause, It has enhanced the price of our chief Staple export contrary to the policy of the wise Nations.

Because, On Tobacco Speculation hitherto, we have sunk two-thirds of our principal in turning our State Currency into Specie, Whilst the Law of the Land asserts it shall be of equal value with Specie.

Because, It tends to enrich the few and oppress the many.

EDWARD JONES,
JOHN CAINS,
JOSEPH HARVEY,
JOSHUA SKINNER,
ENOCH SAWYER,
S. CABARRUS,
JOHN ALLEN,
WM. BARRY GROVE,
PETER DAUGE.

The House adjourned until To-morrow Morning 9 O'clock.

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SATURDAY, 6 December, 1788.

The House met according to adjournment.

Ordered that Mr. Britain Harris have leave to absent himself from the service of this House.

Mr. Steele introduced the following resolutions, which being read, Mr. Steele proposed that the House enter into the said resolutions, which was objected to; whereupon, Mr. Herndon moved and was Seconded, that they be laid over until the next Assembly; this was also objected to; the question on the last motion was put and carried in the affirmative.

The proposed resolutions are as follows:

Resolved, That the Commissioners appointed to purchase Tobacco in this State on behalf of the Public, be, and they are hereby directed

to purchase no tobacco of any kind or quality at a higher price than forty-five Shillings for the succeeding year.

Rsolved, That each and every Commissioner appointed as aforesaid, settle and finally adjust his or their accounts with the Comptroller on or before the 1st day of May next, and fully pay up to the Treasurer any balance of Money which may remain unappropriated at that time.

On the question shall these resolutions lie over until the next Assembly or not, the Yeas and Nays were required by Mr. Cabarrus, which are as follows:

Yeas—Messrs. J. Brown, Cains, McDowall, McDowall, Jun., J. Allen, B. Douglass, Anderson, Graves, Jo. Stewart, Killebrew, J. Hill, Mitchell, Hamilton, Gowdy, J. Jones, Tindall, Phifer, Bonds, Mebane, Wood, Bell, Porter, Bethell, Phillips, Barnes, N. Brown, Spruill, Jas. Stewart, Blair, Montfort, Brown (Wilkes), Herndon, Hinton, Martin, Withrow, Carson, Devane, Maxwell, Hardin, Outlaw, Cocke, Lanier, May.—43.

Nays—Messrs. Pugh, Cabarrus, Fulford, Creecy, Thos. Pool Williams, G. Dauge, Grove, P. Dauge, Sawyer, Dickson, Robeson, Hardiman, Baker, Moore, Maclaine, W. Williams, Slade, Yates, Grant, D. Davis, Skinner, Harvey, Moye, S. Allen, Caldwell, Walton, Hawkins, Cumming, E. Jones, Steele, Lindley, Person, H. Hill, J. P. Williams.—34.

Received from the Senate the resolution of this House directing the Treasurer to pay William Muzzel, Hardy Jones & John Taylor the Sums therein mentioned, Concurred with.

Received also the report of the Committee of Propositions and Grievances on the Petition of John Colson and David Davis, Concurred with; and the report of a Special Committee on the Memorial of William Moore, also Concurred with.

Received from the Senate a Resolution of that House for Suspending Thomas Butler, Mark Bennet and James Bennet, three Justices of the Peace for Montgomery County, from office; which being read, was Concurred with and returned.

Resolved, That John M. Whitney be allowed the Sum of Eighteen pounds for going express to the Attorney General with dispatches from the Treasurer, and that the Treasurer pay him the same and be allowed.

Whereas, it appears to this General Assembly that the business

of the Treasurer from the many Laws that have passed, and the various alterations made in the regulations of his office, has been considerably augmented, and that the Salary allowed him by Law has not been enlarged, and as it bears no proportion to the great additional duties and care that has developed on him:

Therefore Resolved, That John Haywood, Esquire, be allowed the Sum of two Hundred Pounds as a Compensation for his extraordinary services in the exercise of that office hertofore, and that the same shall be allowed him in the next annual settlement of his accounts.

Ordered that the Bill to enable and impower the Attorney General to commence suits in Law or Equity in all cases in which he shall have information that the Treasury hath been injured by pretended Creditors of persons whose Estates have been Confiscated, &c., be laid over until the next Assembly.

The Bill to punish persons guilty of House breaking and other crimes, was read the third time, passed and sent to the Senate.

Received from the Senate the resignation of John Tilman as Colo. of Craven County. Endorsed, read and accepted; which being read, was accepted by this House & returned.

Received from the Senate a resolution allowing Hardy Jones fifteen pounds;

A Resolution directing the Attorney General to institute a Suit or Suits in the name of Timothy Bloodworth for the purposes therein expressed; and a Resolution authorizing His Excellency the Governor, to notify the Gentlemen appointed to represent this State in a Convention, should one be called, & grant them Warrants on the Treasury to enable them to attend, &c.; which being read, were severally Concurred with and returned.

Ordered that the following Message be sent to the Senate:

Mr. Speaker & Gentlemen:

We propose that the General Assembly proceed to ballot immediately for a judge in the District of Morgan, and nominate John Stokes, Esquire. We have appointed Mr. Hill and Mr. Maclaine to superintend the balloting.

Whereas, there is at present one Judge in each of the Districts of Washington and Mero, and cases may often happen that will require the presence of two Judges to decide; therefore,

Resolved, Whenever such cases arise in either of the said Districts,

the Judge of the other District may, and he is hereby authorized and required to attend and officiate at such Court, together with the Judge of the District where such case may happen; and he shall be allowed the same Sum and be paid in the same manner as is by Law provided for holding Court in his own District.

Mr. Person, from the Committee to whom was referred the Memorial of Henry E. Lutterloch, delivered in a report thereon; which being read, was ordered to lie on the Table without further order thereon.

Mr. Person, from the Committeee of Propositions and Grievances, delivered in the following report:

The Committee to whom the Memorial of Edward Bridgen of the City of London by his Attorney, was referred, Report,

That in December, 1785, an Act passed restoring to the said Edward Bridgen his property both real and personal, together with the Bonds and purchase Money of such part as had been previously sold. That as Certificates had become of such little value, the said Bridgen claimed the value of a Lott and House in Wilmington sold previous to the passing of said Law, in actual Money.

The Committee are of opinion the claim is inadmissible, & recommend the said Memorial be rejected.

All which is submitted.

THOMAS PERSON, Ch'n.

The House taking this report into Consideration Concurred therewith.

Mr. Brown presented the resignation of Russel Jones one of the Justices of the Peace for Wilkes County, which was accepted & sent to the Senate.

Mr. Person, from the Committee of Propositions and Grievances, delivered in the following Report:

The Committee to whom the representation and Petition of the Executors of Arthur Brown, deceased, was recommitted, Report,

That the said Arthur Brown was Sheriff of Bertie County for the year 1774, but did not collect the taxes until the years 1779 and 1780 in the depreciated Currency, and after a Law had passed for the purpose of impowering him to perfect his collection. That about that time the said Brown was Colonel of Bertie County and paid the monies received in discharge of the Taxes to Soldiers for their

Bounties, as appears from the face of an account settled in the Comptroller's office.

The Committee further observe that by the said account it appears that the said Arthur Brown fully settled for all Public Money he had received for the purpose of paying the said Soldiers bounties, and a balance remains due and owing by the State to him of Four Thousand Five Hundred and Twelve pounds, two Shillings & one penny half penny, hence the belief arises that the Monies received in discharge of the Taxes were applied with the other Public Money indiscriminately in payment of the Soldiers bounties before stated.

As it appears to the Committee the aforesaid Taxes were collected in depreciated money, they think the estate of th said Arthur Brown ought not to be subject to the payment thereof in actual Cash at this period, and for which the Executors are sued by the Treasurer, and have paid Ninety odd pounds in part *in money,* they recommend that on the said Executors delivering the Treasurer the Comptroller's Certificate, for the aforesaid £4,512 2 1 reduced by the Scale of depreciation (which together with the Ninety odd pounds the Committee conceive to be equal in value to the Taxes at the time they were recovered) he be directed to balance the account, and dismiss the Suit at the expence of the said Executors.

THOMAS PERSON, Ch'n.

The House taking this report into consideration concurred therewith.

The Bill for levying a Tax for the support of Government, and for the redemption of the old paper Currency, Continental Money, and Specie and other Certificates, and for sinking the State Currency, was read the third time, amended by Consent of the Senate, passed and ordered to be Engrossed.

Received from the Senate the Resolve of this House allowing John Haywood, Esquire, two hundred pounds; and one other resolve allowing John M. Whitney Eighteen Pounds Eighteen Shillings, Concurred with.

Received from the Senate a Bill to amend the Revenue Laws & to continue an Act allowing Salaries to the Governor and other officers of the State, passed 1787. Endorsed, read the Second time and passed.

Received from the Senate the following Message:

Mr. Speaker & Gentlemen:

We do not agree to ballot immediately for a Judge as by you proposed, but will enter on that business at 4 O'clock this evening.

We propose that an Attorney for the State for Washington District be appointed at the same time and nominate Mr. Sharpe, Mr. Avery & Reuben Wood. We have added to your nomination for Judge, A. Ozborn.

Received from the Senate a resolution allowing the Sheriffs of Washington, Sullivan, Greene and Hawkins until the last day of April to settle their accounts with the Treasurer, which being read was Concurred with and returned.

Ordered that the following Message be sent to the Senate:

Mr. Speaker & Gentlemen:

We agree to ballot as by you proposed, and add to the nomination for States Attorney in Washington, William Cocke, Esquire.

The Bill to continue an Act allowing Salaries to the Governor and other officers of the State passed 1787, was read the second time, amended, passed & sent to the Senate.

The Bill to repeal part of an Act for the revising and collecting the Acts of the General Assembly of the State of North Carolina, was read the third time, passed and ordered to be Engrossed.

Received from the Senate a resolution of that House permitting the Agents appointed to superintend the settlement of the accounts of this State with the United States to have access to the several offices for the necessary vouchers, &c., and allowing the Agents a Salary; which being read, was concurred with and returned.

Received from the Senate a Bill to prevent the dimunition of the public revenue of this State by the neglect of the County Courts. Endorsed, read the third time and passed.

This Bill was taken up and read the third time, passed and ordered to be Engrossed.

Received from the Senate the report of the Committee on the Petition of John Humphries; The Memorial of John B. Ashe, and the report of the Committee on revenue on the Comptroller's progress & settlement, severally concurred with.

Received from the Senate a Resolution declaring Hodge and Willis, Printers to the State, &c.; which being read, was rejected.

Received from the Senate a resolution of that House allowing the Honbl. Alexander Martin, Esquire, until the next Assembly to balance his accounts with the Public; which being read, was Concurred with and returned.

Received from the Senate the folowing Message:

Mr. Speaker & Gentlemen:

We are now ready to proceed on the balloting and have appointed Mr. Dixon and Mr. Graham to superintend the same.

Received from the Senate a Bill to continue an Act allowing Salaries to the Governor and other officers of the State, passed 1787. Endorsed, read the third time and passed.

The Bill was taken up and read the third time, passed and ordered to be Engrossed.

Resolved, That Mr. Sawyer be appointed to assist in examining the Engrossed Bills.

Mr. Person, from the Committee to whom was referred the Western Payrolls, delivered in a report thereon; which being read, was Rejected.

Mr. Hill, from the joint balloting for a Judge for the District of Morgan, and a States Attorney for the District of Washington,

Reported, that John Stokes, Esquire, was elected Judge and William Cocke, Esquire, States Attorney.

The House taking this report into consideration concurred therewith.

Whereas, Sundry of the Inhabitants of the Counties of Washington, Sullivan, Greene and Hawkins, were called into actual service in defence of the Frontier Inhabitants of this State against the Indians, agreeable to orders issued by His Excellency the Governor, with the advice of the Council of State;

And whereas, no provision hath hitherto been made for the settlement and liquidation of the Claims for such service, nor for the necessary supplies furnished; Therefore

Resolved, That Landon Carter, John Scott and John Blair be appointed a Board of Auditors for the settlement and liquidation of all claims in consequence of such service, and that the board shall make allowances for all articles of provision furnished agreeable to the then Cash prices for all and every of such Articles, and in no other manner whatsoever, and for the actual service of the People called out, agreeable to the Militia Law.

Resolved further, That the said Board shall lay the whole of their proceedings before the next General Assembly.

And Resolved further, That the said Auditors, previous to their entering into the duties of their office shall take the following oath: I, A. B., do solemnly Swear that I will do equal Justice between man and man, the State and Individuals, and to the best of my skill and abilities. So help me God.

Resolved, That the Treasurer be, and he is hereby required and directed without delay, or as soon as may be, to institute Suits against all holders of Public Monies, and delinquent debtors to the public, who may have failed, refused or neglected to settle and account for the same agreeably to Law or former resolutions of the General Assembly of this State, excepting only such persons to whom indulgencies are or may be granted by this Assembly.

Mr. Person, from the Committee to whom was referred the Western Payrolls, delivered in the following Report, to-wit:

Your Committee, to whom was referred the several Payrolls and Commissary accounts from the District of Washington beg leave to report, That your Committee are of opinion that a Board of Auditors ought to be appointed to liquidate, settle and adjust all Claims against this State arising in said District, either by purchase of Commissaries or impressments of provisions or other Articles, which when adjusted and liquidated, your Committee are of opinion ought to be paid off by the County Treasurers of the several Counties of said District; also the several payrolls to be paid off agreeable to the Militia.

Your Committee are further of opinion that as part of the expence in that quarter has accrued by the People acting on the Defensive in supporting Garrisons, &c., and a number of the accounts have not yet come forward.

Your Committee are of opinion the above plan is the most elegible method that your Commitee can advise, also that the receipts given for the payments of such Sums ought to be received and taken by the Treasurer of this State from the several County Treasurers in the District of Washington, and full Credit given by said Treasurer for Monies received.

All which is submitted.

THOMAS PERSON, Ch'n.

The House taking this report into Consideration Concurred therewith.

Resolved, That James Moore be allowed the sum of fifteen pounds for Candles and fire wood furnished for the use of the present General Assembly, and that the Treasurer be and he is hereby directed to pay the same.

Received from the Senate the report of the Committee on the representation of the executors of Arthur Brown;

The report on the Memorial of Edward Bridgen, and

The report on Mr. Hawkins letter, severally Concurred with.

Received from the Senate a Resolve directing the Comptroller to report the names of persons who have advanced Money to this State, &c.; which being read, was Concurred with and returned.

Received from the Senate a Resolve of that House allowing Isaac Burklow Sixteen pounds four Shillings and one penny, which being read, was Concurred with and returned.

Received from the Senate the Resolution of this House allowing James Moore fifteen pounds, and the resolution directing the Treasurer to institute Suits against holders of public monies, Concurred with.

Resolved, That William Dudley keeper of the District Gaol of New Bern be allowed the Sum of Sixty Nine Pounds five Shillings and Ten Pence for Sundry Expences of provisions, and that the Treasurer pay the same and be allowed.

Received from the Senate the resolution of that House allowing Abishai Thomas ten pounds, and one other resolution directing the Commissioners for purchasing Tobacco to continue their purchase until the money in their hands is expended, which being read were rejected.

Resolvd, That the Commissioners for purchasing Tobacco at Tarborough, Halifax and Fayetteville be continued in that business until the meeting of the next General Assembly under the restrictions and regulations of the Act of Assembly respecting that business.

Received from the Senate the Resolve of this House allowing William Dudley Sixty Nine Pounds five Shillings and Ten pence, Concurred with.

Received from the Senate a resolution of that House for remitting the fines imposed on persons refusing to turn out on a late expedition

against the Indians, which being read, was Concurred with and returned.

Resolved, That the Treasuer be and he is hereby directed to pay to Captain James Richardson the Sum of Twenty Pounds on consideration of his services in bringing dispatches from Washington District to the General Assembly.

Received from the Senate a resolution of that House directing the Treasurer to advance to Abishai Thomas one hundred and fifty pounds to enable him to proceed on collecting certain vouchers for the settlement of the accounts of this State with the United States, which being read was rejected.

Received from the Senate the Resolve of this House directing the Treasurer to advance to Capt. James Richardson Twenty Pounds, Concurred with.

Mr. Cabarrus, from the Committee on Revenue, delivered in the following estimate of expenditures in the Civil Department for the year 1789, from which that Committee reported the nett amount, to-wit:

Civil List for the year 1789, as stated by the Sub-Committee on Public Revenue No. 2, consisting of Mr. Hunt, Mr. Johnson, Mr. Blount, Mr. Gallaway and Mr. Jos. McDowall, Sen.,

| | |
|---|---|
| Governor's Salary | £ 750 |
| Private Secretary | 100 |
| Secretary of State | 100 |
| Treasurer | 500 |
| Judges of the Superior Courts | 2,500 |
| Attorney General | 640 |
| Comptroller | 500 |
| Public Printer | 500 |
| Delegates to Congress and to Convention of the U. States | 3,000 |
| Clerk to the Treasurer | 150 |
| Clerks to the Comptroller as allowed by the Governor and Council for settling with the Contl. Commissioner | 1,000 |
| Council, Clerk and Door-keeper | 130 |
| Members of Assembly and of State Convention, Clerks and Door-Keepers | 15,500 |
| Agent, for settling the accounts of this State with the U. States | 1,000 |
| Total | £26,370 |

Resolved, That the Thanks of this House be presented to the Honbl. John Sitgreaves, Esqr., for his able, faithful and public spirited services as Speaker thereof, during this Session.

Ordered that the following Message be sent to the Senate:

Mr. Speaker & Gentlemen:

The business of the Session being now compleated, we propose to adjourn immediately.

The House adjourned *Sine Die.*

By Order, J. Hunt, Clerk.

Tarborough, 16 January, 1789.

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On examining my books, I find the balance reported against the Collector of Port Beaufort is founded in error, and that instead of two Thousand four Hundred and fifty-eight pounds fourteen shillings and Ten pence one farthing, it should of right have been four hundred and forty pounds eleven Shillings and one penny three farthings only. The above error was occasioned by my having omitted to enter and post to the credit of Mr. Daves, Collector of Port Beaufort, the amount of his last payment, the last mentioned Sum, to-wit, £440 11 13 4 is therefore to be considered as that which ought to have been reported against the said Collector.

JOHN HAYWOOD, Pub. Treasurer.

ESTIMATE OF ALLOWANCES TO THE MEMBERS OF THE HOUSE OF COMMONS, DECEMBER 1788.

| MEMBERS. | Attendance. | Miles Travelling. | Ferriages. | Sums. |
|---|---|---|---|---|
| John Sitgreaves, Esqr., Speaker | 34 | 232 | £ | £ 41 14 8 |
| John Brown, (Bladen) | 34 | 120 | 2 | 38 2 |
| Samuel Cain | 34 | 108 | | 37 12 |
| William Horn | 34 | 220 | | 44 13 4 |
| Francis Pugh | 34 | 300 | 1 | 45 |
| John Cains | 34 | 240 | 3 | 42 3 |
| Jo. McDowall | 34 | 440 | | 48 13 4 |
| Jo. McDowall, Jun., | 34 | 480 | 2 | 50 2 |
| Richard Nixon | 21 | 232 | 4 | 28 18 8 |
| John Allen | 34 | 236 | 1 5 | 43 7 |
| William Sheppard | 13 | 336 | 14 | 24 18 |
| Stephen Cabarrus | 34 | 390 | 4 14 | 57 14 |
| John Fulford | 34 | 330 | 2 10 | 47 10 |
| Lemuel Creecy | 34 | 410 | 4 14 | 52 7 4 |
| Tho. Pool Williams | 34 | 560 | 2 4 | 54 17 4 |
| Griffith Dauge | 34 | 560 | 5 4 | 57 13 4 |
| Wm. B. Grove | 34 | | | 34 |
| Peter Dauge | 34 | 540 | | 54 4 |
| Enoch Sawyer | 34 | 540 | 1 10 | 53 10 |
| John McKay | 34 | 8 | | 34 5 4 |
| Ben. Douglass | 34 | 220 | | 41 6 8 |
| John Graves | 34 | 220 | | 40 13 4 |
| James Anderson | 34 | 90 | | 37 |
| Jo. Stewart | 34 | 116 | | 37 17 4 |
| Ro. Dickson | 34 | 120 | 2 | 38 2 |
| Charles Ward | 27 | 140 | | 31 13 4 |
| Elijah Robertson | 34 | 1400 | | 80 13 4 |
| Thomas Hardiman | 34 | 1400 | | 80 13 4 |
| William Fort | 23 | 220 | 4 | 30 10 8 |
| Jno. Killebrew | 34 | 240 | 4 | 42 4 |
| Jordan Hill | 34 | 180 | | 40 |
| Brittain Harris | 34 | 180 | | 40 |
| Elijah Mitchell | 34 | 220 | | 41 6 8 |
| John Hamilton | 34 | 240 | | 41 6 8 |
| William Gowdy | 34 | 240 | | 41 6 8 |
| John Jones | 34 | 240 | 6 | 42 6 |
| Henry Baker | 34 | 360 | 2 | 46 2 |
| Wm. Ward | 34 | 100 | | 37 7 4 |
| John Bryan | 34 | 100 | | 37 7 4 |
| William Randall | 34 | 190 | | 40 6 8 |
| John H. Bryan | 34 | 196 | | 40 10 8 |
| John Moore | 34 | 340 | 4 | 45 10 8 |
| Wm. Maclaine | 34 | 300 | 4 | 44 4 |
| Wm. Williams | 34 | 270 | 1 4 | 44 4 |
| Ebenezer Slade | 34 | 300 | 1 4 | 45 4 |
| James Tindall | 34 | 160 | | 49 6 8 |
| Thos. Ussofy | 34 | 140 | | 38 13 4 |
| Caleb Phifer | 34 | 260 | | 42 13 8 |
| Joseph Douglass | 33 | 316 | | 43 10 8 |
| John Bonds | 34 | 180 | | 40 |
| Alexander Mebane | 34 | 180 | | 40 |

ESTIMATE OF ALLOWANCES TO THE MEMBERS OF THE HOUSE OF COMMONS, DECEMBER 1788.—CONTINUED.

| MEMBERS. | Attendance. | Miles Travelling. | Ferriages. | Sums. |
|---|---|---|---|---|
| Daniel Yates | 34 | 240 | £ 4 | £ 40 4 |
| Reuben Grant | 34 | 240 | 4 | 42 4 |
| Edward Everagin | 30 | 460 | 14 | 46 8 |
| Devotion Davis | 34 | 460 | 1 2 | 50 16 4 |
| Joshua Skinner | 34 | 460 | 1 4 | 50 4 |
| Joseph Harvey | 34 | 460 | 2 | 51 6 8 |
| John Moye | 34 | 240 | 4 | 42 4 |
| Shadrack Allen | 30 | 240 | 4 | 38 4 |
| Zebedee Wood | 34 | 180 | | 40 |
| William Bell | 34 | 180 | | 40 |
| David Caldwell | 34 | 280 | | 43 6 8 |
| William Porter | 34 | 430 | | 48 6 8 |
| William Bethell | 34 | 240 | | 42 |
| Abram Phillips | 34 | 240 | | 42 |
| Elias Barnes | 34 | 90 | | 37 |
| Neill Brown | 31 | 60 | | 33 |
| George Houser | 27 | 340 | | 38 6 8 |
| Wm. T. Lewis | 29 | 290 | | 38 13 4 |
| Wm. Walton | 34 | 1400 | | 80 13 4 |
| Jas. Clendening | 34 | 1400 | | 80 13 4 |
| Simon Spruill | 34 | 210 | 6 | 41 6 |
| Samuel Chesson | 15 | 210 | 13 | 22 13 |
| James Stewart | 34 | 580 | | 53 6 8 |
| John Blair | 34 | 620 | | 59 13 4 |
| Wyatt Hawkins | 34 | 240 | | 42 |
| Henry Montfort | 34 | 220 | | 41 6 8 |
| John Brown (Wilkes) | 34 | 380 | | 46 13 4 |
| Joseph Herndon | 34 | 360 | | 46 |
| James Hinton | 34 | 110 | | 37 13 4 |
| Brittain Sanders | 34 | 86 | | 36 17 4 |
| William Taylor | 10 | 170 | | 15 13 4 |
| James Handley | 28 | 170 | | 33 13 4 |
| John Branch | 33 | 260 | 6 8 | 41 13 4 |
| Absalom Tatom | 32 | 170 | | 47 13 4 |
| Goodorom Davis | 31 | 280 | | 40 5 4 |
| Wm. Cumming | 34 | 380 | 4 14 | 57 7 4 |
| Edward Jones | 34 | 200 | 5 | 40 18 4 |
| Wilson Vick | 28 | 200 | | 34 14 4 |
| John Knox | 34 | 300 | | 44 |
| John Steele | 34 | 240 | | 42 |
| Jonathan Lindley | 34 | 75 | | 36 10 |
| Thomas Person | 34 | 240 | | 42 |
| Lewis Holmes | 34 | 60 | 2 | 36 2 |
| Ben. Sheppard | 6 | 200 | | 12 13 4 |
| Nathan Lassiter | 34 | 200 | 3 | 40 16 4 |
| Wm. Martin | 33 | 100 | | 36 6 8 |
| Miles King | 34 | 120 | | 37 |
| Ed'w. Williams | 19 | 150 | | 24 |
| Wm. King | 34 | 120 | | 38 |
| Jacob Lennard | 34 | 210 | 3 | 41 3 |
| Lewis Lanier | 34 | 160 | | 39 6 8 |
| Pleasant May | 34 | 160 | | 39 6 8 |

ESTIMATE OF ALLOWANCES TO THE MEMBERS OF THE HOUSE OF COMMONS, DECEMBER 1788.—CONTINUED.

| MEMBERS. | Attendance. | Miles Traveling. | Ferriages. | Sums. |
|---|---|---|---|---|
| James Withrow | 33 | 430 | £ 4 | £ 47 6 8 |
| Thomas Carson | 33 | 140 | | 37 13 4 |
| Henry Hill | 32 | 360 | 12 | 44 12 |
| John P. Williams | 34 | 190 | | 40 |
| Thomas Devane | 34 | 124 | 4 | 37 4 |
| Williams Mears | 26 | 60 | | 28 |
| George Maxwell | 31 | 600 | 4 | 57 4 |
| John Scott | 31 | 600 | 4 | 57 4 |
| Thos. King | 29 | 660 | | 51 |
| Joseph Hardin | 24 | 660 | | 46 |
| Alex. Outlaw | 24 | 700 | | 47 6 8 |
| William Cocke | 10 | 700 | | 33 6 8 |
| John Branch, for attendance at Tarbro. not heretofore att'd | | | | 8 |
| John Walker, for attendance at Hillsborough in Nov. 1783 | | | | 10 16 |

## COMMITTEE REPORTS.

Report on Proposals of Derolack. Tobacco, &c.—His Excellency the Governor.

Henry Montfort, Resolved in consequence of a report,—dd himself.

The resolution on the report Donoho & Dickson,—dd. Chas. Dickson.

Resolution on the Report, Wm. Evans,—d. himself.

No. 1 Report of Com. on Revenue E'tion of time for settling Accts. —His Excellency.

Report on the Peto. of Viverett,—J. Bonds.

Rep't in fav. of Fitt & Hall,—M. Fitt.

Ditto in fav. Warrenton,—McNicoll.

Ditto Saml. Marley,—P. Henderson..

Ditto Nathan Hambrick,—R. Singleton.

Ditto J. G. McRee,—himself.

Ditto John Armstrong, himself.

Ditto revenue on the Treasurer's representation,—himself.

Ditto H. Bradford & William Moore,—Wm. Wooten.

Ditto John Williams,—himself.

Ditto Entry Taker Western Lands,—J. Haywood.

Ditto John Hunt,—himself.

The Treasurer to pay Wm. Muzzell, John Taylor & Hardy Jones, —The Treasurer.

Treasurer to institute Suits against delinquents,—Ditto.

Treasurer allowed £200 extra,—Ditto.

James Moore allowed £15,—himself.

Wm. B. Grove & R. Adam Comm'rs and Printer,—Grove.

James Richardson £20,—Self.

# HOUSE JOURNAL---1789.

North Carolina,

In the House of Commons.

At a General Assembly begun and held at Fayetteville on the Second day of November, in the year of our Lord one Thousand Seven Hundred and Eighty-Nine, and in the Fourteenth year of the Independence of the United States of America: It being the first Session of this Assembly.

The returning officers for the several Counties Certified that the following persons were duly Elected to represent the same in this House, Vizt:

For Anson County—William Wood & Pleasant May;
Beaufort—John Gray & Richard Grist;
Bertie—Francis Pugh & William Horn;
Brunswick—
Bladen—John Cowan & Duncan Stewart;
Burke—Joseph McDowall;
Craven—Richard Nixon & John Allen;
Cumberland—John McKay and William B. Grove;
Carteret—Malachi Bell & John Wallace;
Currituck—Thomas Pool Williams & Andrew Duke;
Chowan—Stephen Cabarrus and Samuel Creecy;
Camden—Enoch Sawyer & Peter Dauge;
Caswell—John Womack & Robert Dickens;
Chatham—James Anderson & Joseph Stewart;
Dobbs—Benjamin Sheppard & Nathan Lassiter;
Duplin—Robert Dickson & William Beck;
Davidson—Robert Ewing & Joel Rice;
Edgecombe—Ethelred Phillips & Thomas Blount;
Franklin—Thomas Sherrod & Jordan Hill;
Guilford—John Hamilton & Daniel Gillispie;
Granville—Thomas Person & Thornton Yancey;
Gates—David Rice;
Greene—John Ellison and Alexander Outlaw;
Halifax—Peter Qualls & Marmaduke Norfleet;
Hertford—Robert Montgomery & Henry Baker;

Hyde—John Alderson & Michael Peters;
Hawkins—Thomas King and James White;
Johnston—Benjamin William & John Bryan, Junr.;
Iredell—Adam Brevard & Musintine Matthews;
Jones—John Hill Bryan & Jacob Johnston;
Lincoln—John Moore & William McLean;
Moore—Thomas Tison & William Barrott;
Martin—John Stewart & William Williams;
Mecklenburg—Caleb Phifer & Joseph Douglass;
Montgomery—William Johnston & James Tindall;
Northampton—Samuel Peete & Halcott Briggs Pride;
New Hanover—
Nash—Wilson Vick & John Bonds;
Onslow—Robert W. Sneed & John Spicer;
Orange—Jonathan Lindley & Alexander Mebane;
Pasquotank—Edward Everagin & Thomas Redding;
Perquimans—Benjamin Perry & Ashbury Sutton;
Pitt—James Armstrong & Shadrick Allen;
Rowan—Matthew Lock;
Randolph—Aaron Hill;
Richmond—William Robeson;
Rutherford—William Porter & James Holland;
Rockingham—William Bethell & Abram Phillips;
Robeson—Elias Barnes & Neill Brown;
Surry—Gideon Edwards & Absalom Bostick;
Sullivan—John Rhea & John Scott;
Sampson—James Spiller & James Thompson;
Sumner—David Wilson;
Tennessee—Thomas Johnson & John Drew;
Tyrrel—Simeon Spruill & Samuel Chesson;
Washington—Robert Love & John Blair;
Warren—Philemon Hawkins & Wyatt Hawkins;
Wayne—James Handley;
Wake—Thomas Hines & Brittain Sanders;
Wilkes—John Brown & Benjamin Jones;
Town of Salisbury—Maxwell Chambers;
Hillsborough—Wm. Nash;
Halifax—
Edenton—John Hamilton;

New Bern—Isaac Guion;
Wilmington—Edward Jones.

Pusuant to which the following Members appeared and were qualified by taking and subscribing the Oaths by Law appointed for the qualification of the Members of the Genral Assembly, to-wit:

William Wood,
Pleasant May,
Richard Grice,
Francis Pugh,
John McKay,
Thomas Pool Williams,
Andrew Duke,
Joseph McDowall,
John Cowan,
Duncan Stewart,
Richard Nickson,
Malachi Bell,
John Allen,
Stephen Cabarrus,
William B. Grove,
Enoch Sawyer,
Peter Dauge,
John Womack,
Joel Rice,
Robert Ewing,
Jordan Hill,
M. Matthews,
Peter Qualls,
Marmaduke Norfleet,
Henry Baker,
Adam Brevard,
James White,
Jacob Johnston,
William Barrett,
John Spicer,
John Bonds,
Halcott B. Pride,
Robert W. Sneed,
Ethelred Phillips,
Thomas Sherrod,
Richard Rice,
Robert Dickens,
Wm. Beck,
James Anderson,
Joseph Stewart,
Robert Dickson,
Nathan Lassiter,
Thomas Person,
J. Alderson,
John Hamilton,
Daniel Gillispie,
Alexander Outlaw,
Thornton Yancey,
Lemuel Creecy,
John Moore,
Benjamin Williams,
John Hill Bryan,
Robert Montgomery,
Thomas King,
John Bryan,
Samuel Chesson,
Edwd. Jones,
Abram Phillips,
William Bethell,
Absalom Bostick,
Wm. Nash,
Neill Brown,
John Scott,
John Hamilton,
Isaac Guion,
Gideon Edwards,

| | |
|---|---|
| John Stewart, | Thomas Johnson, |
| William Williams, | Thomas Hines, |
| Caleb Phifer, | Simeon Spruill, |
| Joseph Douglass, | Phill. Hawkins, |
| Samuel Peete, | James Handley, |
| Shadrick Allen, | Robert Love, |
| Benjamin Perry, | Wyatt Hawkins, |
| Wm. McLean, | Elias Barnes, |
| William Johnston, | Brittain Sanders, |
| James Tindall, | John Blair, |
| Thomas Tyson, | Matthew Locke, |
| Ashbury Sutton, | Aaron Hill, |
| James Armstrong, | James Holland, |
| Alexander Mebane, | David Wilson, |
| Edward Everagin, | Wm. Porter, |
| Thomas Reading, | Wm. Robinson, |
| John Drew, | Benjamin Jones, |
| Maxwell Chambers, | John Brown, |
| John Rhea, | Jonathan Lindley, |
| John Ellison, | Wilson Vick. |

Mr. Person proposed for Speaker Stephen Cabarrus, Esquire, who was unaimously chosen and conducted to the Chair.

On motion, John Hunt was appointed Clerk & John Haywood Assistant.

On motion, Peter Gooding and James Maloy were appointed Door keepers.

Received from the Senate the following Message:

Mr. Speaker & Gentlemen:

The Senate are now formed and ready to proceed on public business.

The House adjourned until To-morrow Morning 10 O'clock.

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TUESDAY, 3 November, 1789.

The House met according to adjournment.

Ordered that the following Message be sent to the Senate.

Mr. Speaker & Gentlemen:

The House of Commons are also formed and ready to proceed on the business of the Public.

Mr. Thomas Blount, one of the Members for Edgecombe County, appeared, was qualified and took his seat.

Resolved, That the following rules of decorum be observed during the sitting of this House.

1. That no person shall pass between the Speaker and the Person speaking.

2. That no Member shall be allowed to speak but in his place, and after rising and addressing himself to the Speaker, shall not proceed until permitted by the Speaker's calling him by name.

3. That no person shall stand up or disturb another while he is speaking.

4. That no Member shall come into the House or remove from one place to another with his Hat on, except those of the Quaker profession.

5. That no Member shall speak more than twice to one question upon any debate without leave, except in a Committee of the whole House.

6. The Speaker ought to be heard without interruption, and when he rises the Member up shall sit down.

7. That no person shall be called upon for any words of heat but on the day on which they were spoken.

8. Whenever the Members are equally divided the Speaker shall determine the question, but not vote on any other occasion.

9. That no Member shall depart the services of this House without leave.

10. That the House shall not proceed to debate on any motion unless the same is seconded and immediately reduced to writing, provided any Member requires the same.

11. When two or more Members are up together the Speaker shall determine who rose first.

12. Whoever violates any of the above rules shall receive such censure as the House shall direct.

13. Whenever the House shall be divided on a question, two tellers shal be appointed to number the Members on each side.

Mr. Zebedee Wood, one of the Members for Randolph County, Mr. Michael Peters, one of the Members for Hyde County, and Mr. James Spiller & Mr. James Thompson, the Members for Sampson County, appeared, were qualified and took their seats.

Mr. Lock presented the resignation of John Stokes, Esquire, of

his office of Judge of the Superior Court of Law & Equity for Morgan District, which being read was accepted by this House and sent to the Senate.

Received from the Senate the following Message:

Mr. Speaker & Gentlemen:

We propose that the two Houses after to-day meet at the Brick building on the South side of the Creek, it being more commodious for the dispatch of business.

Ordered that the following Message be sent to the Senate:

Mr. Speaker & Gentlemen:

We have received your Message proposing that the two Houses adjourn after the present day to the Brick building on the South side of the Creek, and have concurred therewith.

Resolved, That Mr. Phill. Hawkins, Mr. Speller, Mr. Mebane, Mr. Person, Mr. Grove, Mr. Porter, Mr. Outlaw, Mr. Dauge, Mr. Hill, Mr. Sawyer, Mr. Hamilton, Mr. Edenton, Mr. Lindley and Mr. Allen be a Committee of Privileges and Elections.

Received from the Senate the following Messages, to-wit:

Mr. Speaker & Gentlemen:

We have appointed Mr. Gowdy, Mr. Skinner, Mr. A. Bryan, Mr. McKinnie and Mr. Smith a Committee of Propositions and Grievances, who will act jointly with such Gentlemen as you may think proper for these purposes.

Mr. Speaker & Gentlemen:

We have appointed Mr. Frazier, Mr. Hargitt, Mr. Gray, Mr. Dickson, Mr. Donaldson, Mr. Yates, Mr. Winston, Mr. Clay, Mr. Carter and Mr. Clinton a Committee of Claims, who will act jointly with such Gentlemen of the House of Commons as may be named for this purpose.

Ordered that the following Message be sent to the Senate:

Mr. Speaker & Gentlemen:

We have appointed Mr. Drew, Mr. Blair, Mr. Brown, Mr. Johnston, Mr. Nash, Mr. Qualls, Mr. Baker, Mr. J. Bryan, Mr. Dickson and Mr. Barnes, to act as a Committee of Claims on the part of this House, who will act jointly with the Gentlemen appointed by the Senate for that purpose. We have also appointed Mr. Rhea, Mr. Outlaw, Mr. Moore, Mr. Holland, Mr. Phifer, Mr. Gillispie, Mr. Sanders, Mr.

Dickens, Mr. W. Hawkins, Mr. Blount, Mr. Creecy, Mr. Hamilton of Edenton, Mr. Guion, Mr. Nixon, Mr. Jones, Mr. Yates, Mr. McKay, Mr. Spiller, Mr. Wilson & Mr. Rice, as a Committee of Propositions and Grievances on the part of this House.

Ordered that the following Message be sent to the Senate:

Mr. Speaker & Gentlemen:

We have appointed the following persons to act with such Gentlemen as the Senate may think proper to appoint as a Committee of Finance, to-wit: Messrs. Locke, P. Hawkins, B. Williams, Jno. Stewart, Jones, Mebane, Wm. Williams, Person, Lindley, Chambers, McClain, Grove & Porter. We propose also, that this Committee be particularly directed to enquire into and report on the Nett produce of our revenues, and the amount and nature of all public debts, and to extend their enquiries into the present State and Condition of the Treasury, the application of the monies levied and collected in the years one Thousand Seven hundred and Eighty-Eight, and one Thousand Seven Hundred and Eighty-nine. That they be authorized to call on his Excellency the Governor, the Treasurer, the Comptroller, The Commissioners for Purchasing Tobacco, The Commissioners of Confiscation and all other officers concerned in receiving, appropriating and accounting for the public monies, or other persons and papers they may deem necessary to such investigation; that they report from time to time, and as soon as possible in such matters concerning the public monies or revenues, and also make up an estimate of the expenses of the foreign and incidental charges of the ensuing year, and that before the end of the present session, or as soon as possible they form a full statement of the debts, funds and revenues of this State, which shall be printed and bound up with the Laws to be Enacted this Session. We have also appointed on the part of this House Mr. Wilson, Mr. Drew, Mr. McDowall, Mr. Holland, Mr. Brevard, Mr. Lock, Mr. Dickens, Mr. Person, Mr. T. Blount, Mr. P. Hawkins, Mr. Jno. Hamilton, Mr. Montgomery, Mr. Guion, Mr. Armstrong, Mr. Beck, Mr. Jones, Mr. Spiller, Mr. Grove, Mr. White & Mr. Outlaw, to Act with such Gentlemen as you may appoint, to report what bills of a public Nature are necessary to be passed into Laws at the present Session, and to prepare the same.

Ordered that the following Message be sent to the Senate:

Mr. Speaker & Gentlemen:

We propose that the number of Clerks for Engrossing Bills and

attending Committees at the present Session be two, and that Mr. Henderson & Mr. Ivey be appointed for that purpose.

Received from the Senate the resignation of John Stokes, Esquire, as Judge of the Superior Court of Law & Equity for Morgan District, accepted of by that House.

Mr. John Stokes, one of the Members for Rowan County, appeared, was qualified and took his seat.

Received from the Senate the following Message:

Mr. Speaker & Gentlemen:

We have received your Message relative to the appointment of two Engrossing and Committee Clerks only, with which we do not concur, being of opinion a less number than three would not answer the purpose. We therefore propose that the two Houses proceed to make these appointments by ballot at 4 O'clock this evening, and add to your Nomination Mr. James Taylor and Mr. John Dixon. We also propose that the three of the Candidates who, on casting up the Poll, shall appear to have the greatest number of Votes, be declared elected.

Ordered that the following Message be sent to the Senate:

Mr. Speaker & Gentlemen:

This House are of opinion that two Engrossing Clerks are fully equal to the business of the presnt Session, and therefore cannot recede from their proposition on that head, should a greater number appear to be necessary in the progress of business, we shall then concur with the Senate in appointing a third.

Mr. Benjamin Williams presented the Memorial of William H. Hill of the Town of Wilmington, setting forth that the late Election for a Member to represent the said Town in this House was conducted in an illegal manner, and praying that an investigation of the legality of the said Election be had. Ordered that the Memorial be referred to the Committee of Privileges and Elections.

The House adjourned until 3 O'clock P. M.

Met according to adjournment.

Received from the Senate a Message proposing the appointment of a Commitee on Revenue, which being read was ordered to lie on the Table.

Ordered that the following Message be sent to the Senate:

Mr. Speaker & Gentlemen:

We have received the Message & resolution of the Senate appointing a Committee on Revenue, to which this House did not concur, because they had previously entered into one on the same subject, which had given more extensive powers to that Committee.

Mr. John Wallace, one of the Members for Carteret County, appeared, was qualified and took his seat.

Whereupon Mr. Wallace was called upon to render reasons upon Oath for his non-attendance on the day appointed for the meeting of the General Assembly, which he accordingly did, and the reasons given were deemed sufficient to exonerate him from the penalty prescribed by Law.

Received from the Senate the following Message:

Mr. Speaker & Gentlemen:

We have received your second Message relative to the appointment of Engrossing and Committee Clerks by which we are sorry to find you have not concurred with our last proposition on that head. We are still of opinion a less number than three will be unequal to the transaction of the business with dispatch, therefore again request your attention to our first Message on this business and hope you will concur therewith.

Ordered that the folowing Message be sent to the Senate:

Mr. Speaker & Gentlemen:

This House have concurred with the proposition of yours relative to Engrossing & Committee Clerks and have added Mr. William Strange to the nomination already made.

We propose that the two Houses proceed to ballot immediately and have appointed Mr. Hamilton & Mr. Bryant on the part of this House to superintend the balloting.

Mr. Zebedee Wood, one of the Members for Randolph County, was called upon to render reasons upon oath for his non-attendance on the day appointed for the meeting of the General Assembly, which he did, and the reasons given were deemed sufficient to exonerate him from the penalty prescribed by Law.

Received from the Senate the following Message:

Mr. Speaker & Gentlemen:

Mr. Montgomery & Mr. McKinnie are appointed, on the part of

the Senate, to superintend the balloting, and we agree with you in proceeding immediately on that business.

The House adjourned until To-morrow Morning 10 O'clock.

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WEDNESDAY, 4 November, 1789.

The House met according to adjournment.

Mr. Hamilton, from the Joint Balloting for three Engrossing and Committee Clerks, Reported that Pleasant Henderson, Curtis Ivey and John Dickson were Elected by a Majority of the Votes of both Houses.

The House taking this report into consideration Concurred therewith.

Mr. Person presented the Memorial and Petition of William Smith, of the Commonwealth of Virginia, which being read was referred to the Committee of Claims and sent to the Senate.

Ordered that the following Message be sent to His Excellency the Governor:

To His Excellency Samuel Johnston, Esquire, Captain-General, Governor, &c.:

SIR:

The General Assembly are now formed and ready to receive from your Excellency such public papers and dispatches as you may have to lay before them for their consideration.

Ordered that the foregoing Message be sent to the Senate for their Concurrence, together with the following Message:

Mr. Speaker & Gentlemen:

We propose that the address herewith sent you be presented to His Excellency the Governor, and have on our parts appointed Mr. Phill. Hawkins & Mr. Person to wait on him with the same.

Mr. Joseph Stewart presented the Petition of James McMasters, praying, &c., which being read was referred to the Committee of Propositions & Grievances & sent to the Senate.

The Honourable the Speaker laid before the House a Letter from John Fitch, of the City of Philadelphia, on the subject of the Steam Boat, which being read was ordered to be sent to the Senate.

Received from the Senate the following Message:

Mr. Speaker & Gentlemen:

We agree to the Message by you proposed to be presented to His Excellency the Governor, and have appointed Mr. Bloodworth and Mr. Ashe, on the part of this House, to attend and present him with the same.

Received from the Senate the following Message:

Mr. Speaker & Gentlemen:

We have received and considered of your Message relative to the appointment of a Committee of Finance and powers to be granted them, with which we cannot concur, but propose that the resolution herewith sent you on the same subject be adopted in lieu thereof; should it meet your approbation, Mr. Ashe, Mr. Blount, Mr. Gallaway, Mr. Skinner, Mr. Gregory, Mr. Charles Johnson and Mr. Lenoir are appointed, on the part of this House, a Committee of Finance. We have also appointed Mr. Charles Johnson, Mr. Ashe, Mr. Gallaway, Mr. Blount, Mr. Willis, Mr. Bloodworth and Mr. John Johnston to act jointly with the Gentlemen by you named for the purpose of preparing and introducing Bills of a public nature.

Ordered that the following Message be sent to the Senate:

Mr. Speaker & Gentlemen:

This House have received your Resolve and Message relative to the Powers given to the Committee of Finance and have concurred therewith. This House do continue their first nomination of Members for their Committee, except only that the name of Mr. B. Williams is withdrawn and that of Mr. Guion inserted in place thereof.

Received from the Senate the following Bills. Endorsed, read the first time and passed, to-wit:

A Bill to impower the County Court of Pitt to lay a Tax annually for the purpose of building a new Court House, Prison and Stocks, and for keeping the same in repair;

A Bill to repeal part of an Act passed at Tarborough Intituled "an Act to amend an Act to regulate the Inspection of Tobacco within this State";

A Bill to repeal part of an Act for increasing the Jurisdiction of the County Courts of Pleas and Quarter Sessions, of the Justices of the Peace out of Court and directing the time of holding Courts in this State.

Received from the Senate the Petition of John Blair, John Gillis-

pie and others. Endorsed, read and referred to Mr. Hargett, Mr. Gowdy and Mr. Hill, on the part of this House; which being read was referred on the part of this House, to Mr. Hamilton of Guilford, Mr. Mebane, Mr. Stokes and Mr. Gillispie and returned.

The Bill to repeal part of an Act intitled "an Act for increasing the Jurisdiction of the County Courts of Pleas and Quarter Sessions," &c., was read the first time and rejected.

The Bill to repeal part of an Act passed at Tarborough intituled "an Act to regulate the Inspection of Tobacco within this State," was read the first time, passed and sent to the Senate.

The Bill to impower the County Court of Pitt to lay a Tax annually for the purpose of building a new Court House, Prison and Stocks, & for keeping the same in repair, was read the first time, passed and sent to the Senate.

Received from the Senate the Petition of Titus Ogden. Endorsed, read and referred to the Committee of Claims; which being read, was referred as by the Senate and returned.

Received from the Senate the Petition of Sundry Inhabitants of the Western Country. Endorsed, read and referred to the Committee of Propositions and Grievances; which being read, was referred as by the Senate and returned.

Received from the Senate the resignation of William Sherrod as a Justice of the peace for Pitt County; The resignation of John Brinson as a Justice of the Peace for Onslow County, and the resignation of Richard Carney as a Justice of the Peace for Halifax County. Severally endorsed, read and accepted; which being read, were accepted by this House and returned.

The House adjourned until To-morrow Morning 10 O'Clock.

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THURSDAY, 5 November, 1786.

The House met according to adjournment.

Mr. Ben Williams presented the Petition of John Whitley, late Commissioner of Johnston County, which being read was referred to the Committee of Propositions and Grievances and sent to the Senate.

Mr. Phifer presented the Petition of James Barr, which being read was referred to the Committee of Propositions and Grievances and sent to the Senate.

Mr. Porter presented the resignations of Shadrick Hogan and William Nevil, two of the Justices of the Peace for Rutherford County, which being read were accepted by this House and sent to the Senate.

Resolved, That the expence of fixing Stoves in the brick building for the use of the General Assembly shall be reimbursed the Commissioners or Trustees of the said building.

Mr. Burwell Mooring, one of the Members for Wayne County, appeared, was qualified and took his seat.

Received from the Senate the following Message:

Mr. Speaker & Gentlemen:

It is the opinion of this House that seven Members of any Committee during the present Session shall be a quorum for the transaction of business.

Ordered that the following Message be sent to the Senate:

Mr. Speaker & Gentlemen:

We agree that Seven Members of any of the Committees appointed this Session be a quorum for the transaction of business.

Received from the Senate the following Message:

Mr. Speaker & Gentlemen:

We do not agree with you in submitting the Memorial of William Smith to the consideration of the Committee of Claims, but propose that it be referred for adjustment to the Comptroller, and that he be directed to make such allowance thereon as shall appear to him equitable and just.

Ordered that the following Message be sent to the Senate:

Mr. Speaker & Gentlemen:

This House do consent that the Memorial of William Smith be referred to the Comptroller, and that he be directed to make such allowance thereon as shall appear to him to be just.

Received from the Senate the following Bills. Endorsed, read the first time and passed, to-wit:

A Bill for altering the name of James Rowsom to that of James Long, and

A Bill for dividing the County of Surry into two distinct Counties and for other purposes.

Received from the Senate the Memorial of William Evans. En-

dorsed, read and referred to the Committee of Claims; which being read, was referred as by the Senate and returned.

Received from the Senate the Petition of James McMasters. Endorsed, read & referred as by the House of Commons.

The Bill for altering the name of James Rowsom to that of James Long, was read the first time, passed and sent to the Senate.

The Bill for dividing the County of Surry into two distinct Counties and for other purposes, was read the first time, passed and sent to the Senate.

Received from the Senate a Message proposing the appointment of a Committee to take under consideration the necessary and most eligible plan for extinguishing the Certificate debt owing by this State, which being read was ordered to lie on the Table.

The House adjourned until 3 O'clock P. M.

Met according to adjournment.

Received from His Excellency the Governor, the following Message:

To the Honorable the General Assembly:

Gentlemen:

In pursuance of your Message of yesterday, I send you all the publick papers and dispatches which have been received by me since the last Session of the General Assembly, which, with the Journal of the Council of State and my Letter Book, contain all the information which I have to lay before you at present.

None of the public Tobacco could be sold for Cash, so that it has not been in my power to discharge the Debt due from this State to the Government of Martinique, it is therefore proper that you attend to that business and enable me to give satisfaction to the Consul of France, who is very importunate in his Demands.

It is not in my power to give a full State of the Sales of the public Tobacco, not having yet received the returns from the District of Halifax.

SAM. JOHNSTON.

Fayetteville, 5th November, 1789.

Ordered that the following Message be sent to the Senate:

Mr. Speaker & Gentlemen:

We herewith send you a Message from His Excellency the Gover-

nor, addressed to the General Assembly, together with the several public papers and dispatches therein referred to.

Mr. Benjamin Sheppard, one of the Members for Dobbs County, appeared, was qualified and took his seat.

Resolved, That Mr. Ewing, Mr. Love, Mr. Brown, Mr. Phifer, Mr. Person, Mr. Norfleet, Mr. Montgomery, Mr. Guion, Mr. Dixon and Mr. Speller, be a Commitete to hear the reasons which may be offered by such Members of this House who failed to give their personal attendance on the day appointed for the meeting of the General Assembly, and make report.

Mr. Hamilton of Guilford, presented the Petition of James Fletcher, which being read was referred to the Committee of Propositions and Grievances and sent to the Senate.

The House resumed the consideration of the Message of the Senate proposing the appointment of a Committee to take under consideration the necessary and most eligible plan to be taken for extinguishing the Certificate debt owing by this State, which is in the words following:

Mr. Speaker & Gentlemen:

We propose that a joint Committee be appointed to take under their consideration and report the amount of the Certificate debt due by this State, and what steps are most eligible to be taken for the extinguishment of the same. Should this proposition meet your concurrence, Mr. Willis, Mr. Macon, Mr. Gregory, Mr. Bloodworth, Mr. Blount, Mr. Lenoir, Mr. Smith, Mr. Lane, Mr. Gallaway and Mr. Carter will, on the part of this House, act with such Gentlemen as you may appoint for the above mentioned purposes.

Ordered that the following Message be sent to the Senate:

Mr. Speaker & Gentlemen:

This House have appointed Mr. Rice, Mr. Ewing, Mr. Ray, Mr. Scott, Mr. Holland, Mr. McDowall, Mr. Stokes, Mr. Chambers, Mr. Yancey, Mr. Mebane, Mr. P. Hawkins, Mr. Qualls, Mr. Hamilton of Edenton, Mr. Montgomery, Mr. Guion, Mr. B. Williams, Mr. Dickson, Mr. Jones, Mr. Grove and Mr. Spiller a Committee on their part, to act with the Gentlemen by you appointed as a Committee to take under consideration the necessary and most eligible plan to be taken for extinguishing the Certificate debt owing by this State.

The House adjourned until To-morrow Morning 10 O'clock.

FRIDAY, 6 November, 1789.

The House met according to adjournment.

Received from the Senate a Bill to impower the County Court of Pitt to lay a Tax annually for the purpose of building a new Court House, Prison and Stocks, and for keeping the same in repair. Endorsed, read the second time, amended and passed. This Bill was read for the second time in this House, was amended, passed and returned to the Senate.

Received from the Senate a Bill for the recovery of debts according to Contract. Endorsed, read the first time and passed. This Bill was read for the first reading in this House, passed and returned to the Senate.

Mr. Phifer presented the representation of David Campbell, which being read was referred to the Committee of Propositions and Grievances and sent to the Senate.

Mr. Guion presented the resignation of William Good, one of the Justices of the Peace for Craven County, which being read was accepted by this House and sent to the Senate.

Received from the Senate a Bill to confirm unto Greenbury Sutton an indefeasible title to certain Lands therein mentioned in Perquimans County. Endorsed, read the first time and passed.

Ordered that the following Message be sent to the Senate:

Mr. Speaker & Gentlemen:

We propose that the Bill to confirm unto Greenbury Sutton an indefeasable title to certain Lands therein mentioned together with the Petitions of the said Sutton and the affidavits accompanying the same be committed to a joint Committee from both Houses who shall ascertain the facts relative to the matters of hardship stated in the Petition and report thereon, with their opinion as to the propriety or impropriety of passing the Bill. We have nominated on our parts, Mr. Stokes, Mr. Hamilton of Edenton, Mr. Peete, Mr. Jones & Mr. Sheppard for this purpose.

Mr. Thomas Poole Williams presented the resignation of Josiah Nicholson, as a Justice of the Peace for Currituck County, which being read was accepted by this House and sent to the Senate.

Mr. Francis Pugh presented the Memorial of Humphrey Hardy, which being read was referred to the Committee of Propositions and Grievances and sent to the Senate.

Resolved, That all Bills of a public nature be noted for reading at least one day previous to the second or third reading.

Mr. Norfleet presented the Petition of Ptolemy Powell, praying, &c., which being read was referred to the Committee of Propositions and Grievances & sent to the Senate.

Mr. Alderson moved for leave and presented a Bill for erecting Pungo river and other inlets in Hyde county into a district port b the name of ———————— which being read the first time was passed and sent to the Senate.

Ordered that Mr. Person be added to the Committee appointed to take under consideration and report the amount of the Certificate debt due by this State.

Ordered that the following Message be sent to the Senate:

Mr. Speaker & Gentlemen:

We have added Mr. Person to the Committee appointed to take under consideration and report the amount of the Certificate debt due by this State.

Ordered that Mr. Hay have leave to absent himself from the service of this House until Tuesday next.

Resolved, That no Member of the General Assembly, who shall be absent from the service thereof upon leave, shall draw pay as a Member for the time of such absence.

On a motion made by Mr. Stokes and seconded by Mr. Pride,

Resolved, That a Committee of two Members from each district within this State be appointed for the special purpose of drawing a Bill to equalize the Land Tax, and for ascertaining the several subjects of Taxation for the ensuing year.

Ordered that the following Message be sent to the Senate:

Mr. Speaker & Gentlemen:

We propose that a joint Committee of both Houses be appointed for the special purpose of drawing a Bill to equalize the Land Tax, and for ascertaining the several subjects of Taxation for the ensuing year. We have on our parts appointed two Members from each District for this purpose who are Mr. Rhea, Mr. Wilson, Mr. White, Mr. Love, Mr. McDowall, Mr. Porter, Mr. Lock, Mr. Stokes, Mr. Dickens, Mr. Mebane, Mr. P. Hawkins, Mr. Pride, Mr. Pool Williams,

Mr. Dauge, Mr. Williams, Mr. Guion, Mr. Dickson, Mr. Sneed, Mr. Grove & Mr. Spiller.

The House adjourned until 3 O'clock P. M.

Met according to adjournment.

Mr. William R. Davie, the Member for the Town of Halifax, appeared, was qualified and took his seat.

Mr. Person, from the Committee of Privileges and Elections, delivered in the following report, to-wit:

The Committee of Privileges and Elections to whom the Memorial of William Henry Hill was referred, Report,

That having taken under consideration the said Memorial and strictly inquiring into the charges and allegations therein set forth, are of opinion that they are not supported by sufficient testimony and that Mr. Jones the sitting Member is intitled to a seat in the present General Assembly.

All which is submitted.

THOMAS PERSON, Chr.

The House taking this report into consideration concurred therewith.

The House adjourned until To-morrow Morning 10 O'clock.

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Saturday, 7 November, 1789.

The House met according to adjournment.

Ordered that Mr. Davie be added to the Committee on Public Bills, on Finance, and the Committee appointed to take under consideration the necessary & most eligible plan for extinguishing the Certificate debt due by this State.

Ordered that the following Message be sent to the Senate.

Mr. Speaker & Gentlemen:

We have added Mr. Davie to the Committee on Public Bills, Finance, and the Committee appointed to take under consideration the necessary and most eligible plan for extinguishing the Certificate debt due by this State.

Mr. Stokes moved for leave and presented a Bill for levying a Tax in the District of Salisbury for finishing the Court House, and repairing the Jail for the said district, which was read the first time, passed and sent to the Senate.

Mr. Rhea presented the Memorial of Brigadier-General Joseph Martin, which being read was referred to the Committee on Indian Affairs and sent to the Senate.

Mr. Davie presented the resignation of Goodorum Davis, as a Justice of the Peace for Halifax County, which being read was accepted by this House and sent to the Senate.

Received from the Senate a Bill to impower the County Court of Pitt to lay a tax annually for the purpose of building a Court House, Prison and Stocks, and for keeping the same in repair. Endorsed, read the first time and passed. This Bill was read the third time in this House, passed and ordered to be Engrossed.

Mr. Johnston moved for leave and presented a Bill to release Joseph Stacey of Montgomery County from the forfeiture of a recognizance, which was read the first time, passed and sent to the Senate.

Received from the Senate the following Message:

Mr. Speaker & Gentlemen:

The Message of this days date from His Excellency the Governor, together with the public papers accompanying it, we have received, and as you appear to have taken no order thereon, we herewith return them to you referred in the following manner, vizt: That the files of papers numbered three, four, six and eight, containing Letters respecting the Martinique demand accounts of this State with the U. States, Sales of the public Tobacco, and Letters from the Commissioners of Army Accounts be reported on by the Committee of Finance;

That the files No. 5 & 2 be submitted to the consideration of a joint Committee to be styled the Committee on Indian Affairs, on which Committee we have appointed Mr. Gillispie, Mr. Smith and Mr. Lenoir, who will act with such Gentlemen as you may name for this purpose.

Ordered that the following Message be sent to the Senate:

Mr. Speaker & Gentlemen:

We agree that the paper laid before the General Assembly by His Excellency the Governor, be referred as by you proposed. We have also on our parts, appointed Mr. Blount, Mr. Davie, Mr. Outlaw, Mr. Holand, Mr. Brevard and Mr. Scott a Committee on Indian Affairs.

Mr. Maclaine moved for leave and presented a Bill for dividing the County of Hawkins.

Ordered that the following Message be sent to the Senate:

Mr. Speaker & Gentlemen:

We herewith send you a Petition from sundry of the Inhabitants of Hawkins County, praying a disivion of the County, together with a Bill for that purpose which we propose referring to a joint Committee, who shall examine into the truth of the allegations set forth in the Petition and report their opinion with respect to the expediency of the division. We have for this purpose appointed Mr. Blount, Mr. Davie, Mr. White, Mr. Dickens, Mr. Person & Mr. Scott.

Mr. Spruill moved for leave and presented a Bill to compel Josiah Collins, Nathaniel Allen and Samuel Dickinson, Esquires, to pay a County and Parrish Tax in the County of Tyrrell for the Property they hold in said County, which was read the first time, passed and sent to the Senate.

Ordered that the following Message be sent to the Senate:

Mr. Speaker & Gentlemen:

We propose that the same rules of reading and passing Bills into Laws be observed this Session, that were observed the last Session of Assembly.

Mr. Qualls presented the Claim of John Eaton, Coroner of Halifax County. Ordered that the same be referred to the Committee of Claims.

Received from the Senate the resignation of Shadrick Hogan, William Nevill, William Good and Josiah Nicholson as Justices of the Peace. Severally endorsed, read and accepted.

Mr. Holland presented the resignation of James Lytle as a Justice of the Peace for Lincoln County; which being read, was accepted by this House and sent to the Senate.

Resolved, That all claims to be exhibited for allowance to the present Assembly shall be, in the first instance, exhibited to the Committee of Claims, and not to either House.

Received from the Senate the folowing Message:

Mr. Speaker & Gentlemen:

We propose that a joint Committee be appointed to take under consideraiion and report on the Letters and papers now before the Assembly, relative to the conduct of General Joseph Martin, for

which purpose we have appointed Mr. Blount, Mr. Smith, Mr. Skinner, Mr. Montgomery and Mr. Mayo, who will act with such Gentlemen as you may think proper to name for this purpose.

Ordered that the following Message be sent to the Senate:

Mr. Speaker and Gentlemen:

This House concurs with the Senate in referring the papers relative to the conduct of General Martin, to a joint Committee, and have on our parts appointed Mr. Davie, Mr. Blount, Mr. Williams, Mr. Stokes, Mr. McDowall and Mr. Wilson.

Received from the Senate the following Message:

Mr. Speaker & Gentlemen:

We agree with you in referring the Petition of Greenbury Sutton to a joint Committee, and that they be directed to report specially thereon, and have appointed Mr. Skinner, Mr. Lenoir, Mr. Gallaway and Mr. Harget to act with the Gentlemen by you named.

Received from the Senate the Petitions of John Whitley, James Barr, James Fletcher, Ptolemy Powell and Humphrey Hardey. Severally endorsed, read and referred as by the House of Commons.

Received from the Senate the Petition of John Simmons, and the Petition of Unity Wilson. Endorsed, read and referred to the Committee appointed on the Memorial of Greenbury Sutton; which being read, were referred as by the Senate and returned.

Received from the Senate the resignation of Aaron Hill as a Justice of the Peace for Randolph County, and the resignation of Joseph McPherson as a justice of the Peace for Craven County. Endorsed, read and accepted; which being read, were accepted by this House and returned.

Received from the Senate two Resolves of this House, one for reimbursing the Commissioners or Trustees the expence of fixing Stoves in the brick building, the other declaring that no member of the General Assembly shall be allowed to draw pay for any time they may be absent upon leave, concurred with.

Received from the Senate a resolution of that House requesting the Commisioners or Trustees of the brick building to purchase and-Irons, &c; which being read, was concurred with and returned.

Received from the Senate the representation of David Campbell. Endorsed, read and referred as by the House of Commons.

The House adjourned until Monday Morning 10 O'Clock.

MONDAY, 9 November, 1789.

The House met according to Adjournment.

Received from the Senate the following Mesages:

Mr. Speaker & Gentlemen:

We agree that the rules observed by the last Assembly in reading and passing Bills be adhered to by the present Assembly.

Mr. Speaker & Gentlemen:

Mr. A. Bryan, Mr. Bloodworth, Mr. Clinton, Mr. Macon, Mr. Skinner, Mr. Smith, Mr. Lucas, Mr. Gowdy, Mr. Carter and Mr. Jos. Dickson will on the part of this House act with the Gentlemen by you named for the purpose of preparing a Bill Equalizing the Land Tax, and ascertaining the several subjects of Taxation for the ensuing year.

Mr. Speaker & Gentlemen:

We have added Mr. Sevier to the Committee appointed to report on Indian Affairs.

Mr. Wood presented the Petition of sundry of the Inhabitants of Anson County praying that the said County be added to, and made a part of the District of Fayetteville, which being read, Mr. Wood then moved for leave and presented a Bill to answer the prayer of the said Petition, which was read the first time, passed and sent to the Senate.

Mr. Grove presented the Petition of sundry of the inhabitants of Bladen County praying that a part thereof be added to the County of Cumberland, which being read, Mr. Grove then moved for leave and presented a Bill to answer the prayer of the Petition, which was read the first time, passed and sent to the Senate.

Received from the Senate a resolution of that House directing the Treasurer to advance on loan to Gotlieb Shober three Hundred Pounds, which being read was concurred with and returned.

Mr. Lock, from the Committee appointed to consider and report what Bills of a public nature are necessary to be passed into Laws, reported:

1. A Bill to carry into effect the ordinance of the late Convention at Hillsborough.

2. A Bill for raising a Revenue for the payment of the Civil List and Contingent charges of Government.

3. A Bill for establishing an University.

4. A Bill to amend an Act intitled "an Act to regulate the descent of real estates, to do away entails, to make provision for widows, and to prevent frauds in the execution of last Wills and Testaments."

5. A Bill to amend an Act intitled "an Act for making process in equity effectual against Persons who abscond, and who will reside without the limits of the State and for better regulating the proceedings in the Courts of Equity.

6. A Bill to amend an Act intituled "an Act concerning proving Wills and granting letters of administration, and to prevent frauds in the management of Intestates Estates."

7. A Bill to amend an Act intituled "an Act for establishing Courts of Law and regulating the proceedings therein."

Which are submitted.

The House taking this report into Consideration concurred therewith.

Mr. Jacob Leonard, one of the Members for Brunswick County, appeared, was qualified and took his seat.

Received from the Senate the following Messages:

Mr. Speaker & Gentlemen:

We propose that the General Assembly proceed to ballot on Saturday next at 4 O'clock in the afternoon for a Governor of this State for the ensuing year, and also for the place at which the next Assembly shall be held. We nominate for Governor His Excellency Samuel Johnston, Esquire, and for the place at which the next Assembly shall be held, the Towns of New Bern, Fayetteville, Tarborough, Hillsborough, Salem and Warrenton.

Mr. Speaker & Gentlemen:

We herewith send you the Petition of Daniel Williams, late an officer in the Continental Line of this State, the subject matter of which we propose shall be reported on by a joint Committee, and have for this purpose on our parts, appointed Mr. Macon, Mr. Bloodworth & Mr. Harget.

The Honorable the Speaker, laid before the House a Letter from James Iredell, Esquire, on the subject of the revisal of the Laws of this State, together with other papers relative to the same subject, which being read were referred on the part of this House, to Mr. Davie, Mr. Hamilton, Mr. Spiller, Mr. Person & Mr. Blount.

Ordered that the following Message be sent to the Senate:

Mr. Speaker & Gentlemen:

We have received your Message proposing to ballot on Saturday next at 4 O'clock in the afternoon for a Governor of this State for the ensuing year, and also for the place where the next Assembly shall be held, with which we have concurred. We have also received your Message proposing that the Petition of Daniel Williams be referred to a joint Committee, and have on our parts appointed Mr. Jones, Mr. Brevard, Mr. Pugh, Mr. Mebane and Mr. Spiller.

This House agree that the Bill and Petition for the Division of Washington be referred to the Committee appointed to report on the Bill, &c., for the division of Hawkins.

We herewith send you a Letter from James Iredell, Esquire, on the subject of the revisal of the Laws of this State, which we propose referring to a joint Committee to report on, and have on our parts appointed Mr. Davie, Mr. Hamilton, Mr. Spiller, Mr. Person and Mr. Blount.

Received from the Senate the following Message:

Mr. Speaker & Gentlemen:

Mr. Lane, Mr. Gray and Mr. Clinton will, on the part of this House, act with the Gentlemen by you appointed for the purpose of enquiring into the expediency of dividing Hawkins County. We also propose that the Bill and Petition herewith sent you for the division of Washington County be reported on by the same Committee.

Mr. Davie presented the Memorial of Isaac Alexander, which being read, was referred to the Committee of Propositions and Grievances, and sent to the Senate.

Mr. Wallace moved for leave and presented a Bill to erect a light House on Ocracoke Island, which was read the first time, passed and sent to the Senate.

Mr. Phifer presented the Petition of John Michel Winecoff, which being read, was referred to the Committee appointed on the Petition of Greenbury Sutton and sent to the Senate.

Received from the Senate the Petition of the Inhabitants of Surry County; the Memorial of John Williams of Caswell County, and the Petition of Daniel McCarthey. Severally endorsed, read and referred to the Committee of Propositions and Grievances; which being read, were referred as by the Senate and returned.

Mr. Davie presented the Petition of sundry of the Inhabitants of

Halifax County, praying that the 65th Section of an Act intitled "an Act for establishing Courts of Law," be repealed, which being read was referred to the Committee on Public Bills and sent to the Senate.

Mr. Hamilton presented the Memorial of Doctor Frederick Ramche, which being read was referred to the Committee on Public Bills and sent to the Senate.

Received from the Senate the Memorial of General Joseph Martin. Endorsed, read and referred as by the House of Commons.

Received also the Petition of George Holyboy, and the Claim of Richard Moss. Endorsed, read and referred to the Committee of Claims; which being read was referred as by the Senate and returned.

Received from the Senate the report of the Committee on the Petition of John Simmons, concurred with by that House, which being read was concurred with by this House and returned.

Received from the Senate the Report of the Committee on the Petition of Greenbury Sutton, concurred with; which being read was concurred with by this House and returned.

Received from the Senate a Bill to prevent the exportation of raw hides, pieces of Hides of black Cattle and Calf Skins, Beaver, Rackoon and Fox furs. Endorsed, read the first time & passed.

This Bill was read the first time in this House, passed and returned to the Senate.

Received from the Senate a Bill for erecting and establishing a Town at Hawkins Court House. Endorsed, read the first time and passed.

This Bill was read for the first reading in this House, passed and returned to the Senate.

Received from the Senate a Bill to repeal part of an Act intitled "an Act to alter the mode of punishing Horse Stealing, also to repeal an Act to prevent Horse Stealing." Endorsed, read the first time and passed.

This Bill was read for the first reading in this House, passed and returned to the Senate.

Received from the Senate a Bill for levying a Tax in the District of Salisbury for finishing the Court House and repairing the Jail for the said District. Endorsed, read the first time and passed.

This Bill was read for the second reading in this House, passed and returned to the Senate.

Received from the Senate the Bill for altering the name of James

Rowsom to that of James Long. Endorsed, read the first time and passed.

This Bill was read for the second reading in this House, passed and returned to the Senate.

Received from the Senate a Bill to repeal part of an Act intitled "an Act once more to extend an Act intitled an Act to pardon and consign to oblivion the offences and misconduct of certain persons in the counties of Washington, Sullivan, Greene and Hawkins." Endorsed, read the first time and passed.

This Bill was read for the first reading in this House, passed and returned to the Senate.

Ordered that Mr. Stokes be added to the Committee on Public Bills and the Committee on Finance, and that the following Message be sent to the Senate:

Mr. Speaker & Gentlemen:

We have added Mr. Stokes to the Committee on Public Bills and the Committee on Finance.

Received from the Senate the following Bills. Endorsed, read the first time and passed.

A Bill to release oseph Starkey of Montgomery County, from the forfeiture of a recognizance;

A Bill to annex the County of Anson to Fayetteville district, &c.;

A Bill to direct Josiah Collins, Nathaniel Allen and Samuel Dickinson, Esquires, to pay County & Parish Tax in the County of Tyrrell, &c.;

A Bill for erecting Pungo River and the other Inlets in Hyde County into a distinct Port, &c.;

A Bill to add part of Bladen County to Cumberland County.

Received also a Bill to repeal part of the fifth Section of an act intitled "an Act to regulate the Inspection of Tobacco in this State." Endorsed, read the second time & passed.

Mr. Alderson moved for leave to withdraw for amendment The Bill for erecting Pungo River and the other Rivers in Hyde County into a distinct port, &c. Ordered that he have leave.

The House adjourned until To-morrow Morning 10 O'clock.

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Tuesday, 10 November, 1789.

The House met according to adjournment.

Mr. Nickson presented the Claims of John Hill and John Charles,

which being read were referred to the Committee of Claims and sent to the Senate.

Resolved, That the public Treasurer be and he is hereby directed to pay as follows, to-wit: to John Armstrong of Orange County, for bringing the books and papers of the Treasury from Hillsborough to the Town of Fayetteville, the sum of three pounds; and to Roswell Huntington, James Pratt, John Faddis, James Patterson, John Faucett, Frederick Taylor, Robert Scoby, John Scoby and David Rainey, being nine of the Orange Company of Horse employed to guard the removal of the money in the Treasury from Hillsborough to Fayetteville, the Sum of Five Pounds each, together with the necessary travelling expences of the said Guard in going to and returning from Fayetteville, estimating their expences in returning at what they may have been in coming.

Mr. Bonds moved for leave and presented a Bill to repeal part of an Act pased at Fayetteville, 1786, intitled "an Act to impose a duty on all Slaves brought into this State by Land or Water;" which was read the first time, passed and sent to the Senate.

Mr. Davie presented the Petition of Benjamin Sheppard, which being read was referred to the Committee of Claims, and sent to the Senate.

Mr. Edward Jones presented the Petition of Thomas Withers and others whose names are thereunto subscribed, which being read was referred to the Committee of Propositions and Grievances and sent to the Senate.

Mr. Rhea moved for leave and presented a Bill to amend an Act intitled "an Act to prevent the obtaining of grants of Lands lying in the Western parts of this State to the prejudice of the first entries, and entered in the land office lately established for receiving entries of claims of such Lands, by an Act intitled 'an Act for opening the land office for the redemption of Specie and other Certificates,' and discharging the arrears due to the Army passed at Fayetteville," which was read the first time, passed & sent to the Senate.

Mr. Hamilton of Edenton, moved for leave and presented a Bill to enable Creditors more easily to recover their debts from joint partners and upon joint notes, which was read the first time, passed and sent to the Senate.

Mr. Chesson presented the Petition of sundry of the Inhabitants of Tyrrell County, praying that a Town be established on the Lands

of John Marriner, &c.; which being read, Mr. Chesson then moved for leave and presented a Bill to answer the prayer of the said Petition; which was read the first time, passed and sent to the Senate.

Mr. Outlaw moved for leave and presented a Bill to extend the Civil and Military authority of this State to the Inhabitants South of French Broad and Holston rivers, which was read the first time, passed and sent to the Senate.

Mr. Edward Jones moved for leave and presented a Bill to repeal part of an act intitled "an Act to explain an Act directing the duty of Naval Officers, and all Masters of Vessels coming into the Ports and Inlets of this State;" which was read the first time, passed and sent to the Senate.

Mr. Wyatt Hawkins presented the Petition of Thomas Parker, which being read was referred to the Committee of Propositions and Grievances and sent to the Senate.

Mr. Mebane presented the Petition of George Hoskins of the Town of Hillsborough, which being read was referred to the Committee of Propositions and Grievances and sent to the Senate.

The Honorable the Speaker, laid before the House a statement of the accounts and vouchers delivered by the Comptroller to Mr. Abisha Thomas, one of the Commissioners appointed to settle and adjust the accounts of this State with the United States, and other papers relating to that subject; which being read the following Message was ordered to be sent to the Senate.

Mr. Speaker & Gentlemen:

We herewith send you an address from the Comptroller containing a list of papers delivered to the Commissioners appointed to liquidate finally the accounts of this State with the United States, and also sundry papers stating the amount of the Certificate debts now due from this State to individuals, we propose that all the said papers except those last mentioned be referred to the Committee of Finance and that the papers relating to the Certificate debt be referred to the Committee to consider what are the most eligible means to be adopted for the extinction of the Certificate debt.

Mr. Davie moved for leave and presented a Bill to amend an Act intitled "an Act directing the mode of proceeding against the real estate of deceased debtors where the personal estate is insufficient for the payment of the debts;" which was read the first time, passed and sent to the Senate.

Mr. Davie moved for leave and presented a Bill to amend an Act intitled "an Act for establishing Courts of Law, and for regulating the proceedings therein," and another Act intitled "an Act for giving an Equity jurisdiction of the Superior Courts;" which was read the first time, passed & sent to the Senate.

Received from the Senate the resolution of this House allowing five pounds to each of the light Horsemen who came from Hillsbo. to Fayetteville as a Guard to the Money in the Treasury, &c., concurred with.

Received from the Senate a Bill to repeal part of an Act intitled "an Act once more to extend an Act intitled an Act to pardon and consign to oblivion the offences & misconduct of certain persons in the Counties of Washington, Sullivan, Greene and Hawkins." Endorsed, read the second time and passed.

Mr. Mebane presented the Petition of James Mebane and John Taylor, which being read was referred to the Committee of Propositions and Grievances and sent to the Senate.

Received from the Senate the Memorial of Thomas Vail. Endorsed, read and referred to the Committee of Propositions and Grievances; which being read was referred as by the Senate and returned.

Mr. Davie presented the Petition of James Hogg, Executor of Thomas Burke, Esquire, deceased; which being read, was referred to the Committee of Propositions and Grievances and sent to the Senate.

Received from the Senate the following Message:

Mr. Speaker & Gentlemen:

We agree that the Letter from James Iredell, Esquire, be reported on by a joint Committee, and have appointed Mr. Skinner, Mr. Lenoir and Mr. Blount to act with the Gentlemen by you named for this purpose.

The Bill to direct Josiah Collins, Nathaniel Allen and Samuel Dickinson, Esquires, to pay a County and Parish Tax in the County of Tyrrell for the property they hold in said County, was read the second time and rejected.

Received from the Senate the following Message:

Mr. Speaker & Gentlemen:

This House having received information of the death of the Honbl.

Richard Caswell, our late Speaker, we propose that a joint Committee be appointed to direct and conduct the mode and order of his interment, and have on our part appointed for this purpose Mr. Blount, Mr. Skinner and Mr. Bloodworth.

Ordered that the following Message be sent to the Senate:

Mr. Speaker & Gentlemen:

This House have received the Message of yours containing the information of the much to be lamented death of your late Speaker, and concur with your proposition for a Committee to direct the mode of his interment, have appointed Mr. Davie, Mr. Stokes, Mr. Blount, Mr. Leak, Mr. Hawkins and Mr. Person a Committee on our part for that purpose.

The Bill to add part of Bladen County to Cumberland, was read the second time, amended, passed and sent to the Senate.

The Bill to release Joseph Stacey of Montgomery County, from the forfeiture of a Recognizance, was read the second time, passed and sent to the Senate.

The Bill to repeal part of an Act intitled "an Act once more to extend an Act intitled an Act to pardon and consign to oblivion the offences and misconduct of certain persons in the Counties of Washington, Sullivan, Greene and Hawkins," was read the second time, passed and sent to the Senate.

The Bill to annex the County of Anson to Fayetteville District, and to regulate the appointment of Jurors to Fayetteville Superior Court, was read the second time, passed and sent to the Senate.

Ordered that the Bill to repeal the fifth Section of an Act intitled "an Act to regulate the Inspection of Tobacco in this State," be read on Thursday for the second reading in this House.

Mr. Alderson, who had leave to withdraw for amendment the Bill for erecting Pungo River and the other Rivers in Hyde County into a distinct port, &c., declivered in the bill with the amendments; whereupon he presented the Petition of sundry of the Inhabitants of the said County praying that a separate and distinct Port be established therein; which being read, The Bill was then read for the second reading in this House, amended, passed and sent to the Senate.

Mr. Davie presented the Claim of Nathaniel Allen, which being read, was referred to the Committee of Claims and sent to the Senate.

Ordered that the following Message be sent to the Senate:

Mr. Speaker & Gentlemen:

This House have added Mr. Davie, Mr. Hamilton of Edenton, Mr. Person, Mr. Edwd. Jones and Mr. Johnson to the Committee appointed to equalize the Land Tax. Mr. Rhea to the Committee on Finance, and Mr. Moore to the Committee of Claims.

Ordered that the following Message be sent to the Senate:

Mr. Speaker & Gentlemen:

This House propose that the Public Printer for the ensuing year be balloted for on Saturday next, at the same time that the Governor and place of holding the next Assembly are to be balloted for, and we nominate Messrs. Sibley and Howard and Messrs Hodge and Wills for that appointment.

Resolved, That no Bill of a private nature be received into either of the Houses of the General Assembly after Saturday next.

Received from the Senate the Memorial of Isaac Alexander; The Petition of Sundry Inhabitants of Halifax County; The Memorial of John Michael Wincoff, & the Memorial of Dr. Frederick Ramche. Severally endorsed, read and referred as by the House of Commons.

Received from the Senate the following Bills. Endorsed, read the first time and passed, vizt:

A Bill to repeal part of an Act passed at Fayetteville 1786 intitled "an Act to enforce a duty on all Slaves brought into this State," &c.;

A Bill for laying off a Town on the Lands of John Marriner in Tyrrell County;

A Bill to carry into effect the ordinance of the Convention held at Hillsborough in July, 1788, &c.

Received also A Bill for erecting and establishing a Town at Hawkins Court House, and a Bill to prevent the exportation of Raw Hides, &c. Endorsed, read the second time and passed.

Ordered that the Bill to prevent the exportation of raw Hides, &c., and the Bill to repeal part of an Act passed at Fayetteville, 1786, intitled "an Act to inforce a duty on all Slaves brought into this State by Land or Water," be read To-morrow for the second reading in this House, and that the Bill to carry into effect the ordinance of the Convention held at Hillsborough in July, 1788, &c.; be read on Thursday next for the second reading.

The House adjourned until To-morrow Morning 10 O'Clock.

WEDNESDAY, 11 November, 1789.

The House met according to adjournment.

Received from the Senate the Report of the Committee to whom was referred the mode and order of burial of the Honbl. Richard Caswell. Endorsed, read and concurred with; which being read was concurred with by this House and returned.

The House adjourned until 12 o'clock.

Met according to adjournment.

Adjourned until To-morrow 10 O'clock.

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THURSDAY, 12 November, 1789.

The House met according to adjournment.

Mr. Alexander Mebane, one of the Commissioners appointed to examine and punch such Cash Claims and Certificates as were in the Comptroller's office, redeemed by the Public, and for burning such State Dollar Bills as were in the said office, presented a statement of their proceedings therein; which being read, together with other papers accompanying the same, were referred to Mr. Stokes, Mr. Brown, Mr. Person and Mr. Lock on the part of this House, and sent to the Senate with the following Message:

Mr. Speaker & Gentlemen:

We herewith send you the report of the Commissioners appointed to examine and punch the Cash Claims and Certificates in the Comptrollers office, &c., together with a recommendation of the said Commissioners in favour of the Comptroller, all which we propose referring to a joint Committee to report on, and have on our parts appointed Mr. Stoker, Mr. Brown, Mr. Person and Mr. Lock a Committee.

Mr. Lock presented the Petition of Sundry of the Inhabitants of Iredell County, praying that a part of the said County be added to Rowan County; which being read, Mr. Lock then moved for leave and presented a Bill to answer the prayer of the said Petition, which was read the first time, passed and sent to the Senate.

Mr. Lock presented the Petition of William Brandon, which being read was referred on the part of this House, to Mr. Lock, Mr. McDowall, Mr. Mebane and Mr. P. Hawkins, and sent to the Senate.

Mr. Mebane presented the Petition of John Armstrong of Orange

County, which being read was referred to the Committee on Finance and sent to the Senate.

Mr. Davie presented the Claim of Charles L. Hunter, Jailor, &c.; which being read was referred to the Committee of Claims and sent to the Senate.

Mr. Benjamin Smith, one of the Members for Brunswick County, appeared, was qualified and took his seat.

Mr. Rhea moved for leave and presented a Bill for defraying the expences of an expedition carried on against the Cherokee Indians; which was read the first time, passed and sent to the Senate.

Mr. E. Jones moved for leave and presented a Bill to amend an Act intitled "an Act to establish in the Towns of Washington, Edenton, Washington and New Bern, Courts for the speedy decision of Mercantile transactions with the Foreigners & Transient Persons, and Maritime Affairs;" which was read the first time, passed and sent to the Senate.

Mr. Davie moved for leave and presented a Bill to amend an Act intitled "an Act concerning proving of Wills & granting letters of Administration and to prevent frauds in the management of intestates estates;" which was read the first time, passed and sent to the Senate.

Mr. Hamilton moved for leave and presented a Bill to regulate the practice of Physic and Surgery; which was read the first time, passed and sent to the Senate.

Received from the Senate the report of the Committee on Public Bills, concurred with by that House.

Received from the Senate the following Bills. Endorsed, read the first time and passed.

A Bill to extend the Civil and Military authority of this State to the Inhabitants South of the French Broad & Holston Rivers;

A Bill to repeal part of an Act intituled "an Act to explain an Act directing the duty of Naval Officers and Masters of Vessels coming into the Ports and Inlets of this State;"

A Bill to erect a light house on Ocracoke Island.

Received from the Senate the following Message:

Mr. Speaker & Gentlemen:

We agree that the address from the Comptroller, together with the

papers accompanying it, stand referred as by you proposed.

Mr. Johnston presented the Memorial of James Butler, which being read was referred to Mr. Hamilton, Mr. Mebane, Mr. Gillispie and Mr. Johnston and sent to the Senate.

Mr. Stokes moved for leave and presented a Bill to alter the manner of fining and imprisoning offenders, which was read the first time, passed and sent to the Senate.

Mr. Edward Jones presented the Petition of John Bradley of the Town of Wilmington, praying, &c.; which being read, Mr. Jones moved for leave and presented a Bill for pardoning John Bradley of the Town of Wilmington, which was read the first time, passed and sent to the Senate.

Received from the Senate a Bill to release Joseph Stacey of Montgomery County, from the forfeiture of a recognizance. Endorsed, read the second time and passed.

A Bill for altering the name of James Rowsom to that of James Long. Endorsed, read the third time & passed.

Received also, the Claims of John Hill and John Charles. Endorsed, read and referred as by the House of Commons.

Mr. Cabarrus presented the Memorial of Spruce McKay, which being read was referred to the Committee appointed on the Petition of William Brandon, and sent to the Senate.

Mr. Chambers presented the resignation of Valentine Baird, one of the Justices of the Peace for Rowan County, which being read was accepted by this House and sent to the Senate.

Mr. Hill presented the resignation of Edmund Waddell, one of the Justices of the Peace for Randolph County, which being read was accepted by this House and sent to the Senate.

Mr. T. P. Williams moved for leave and presented a Bill to impower the Wardens of the Poor for the County of Currituck to lay a tax to enable them to settle the arrears due from said County to Persons who have supported the Poor, which was read the first time, passed and sent to the Senate.

The Bill to prevent the exportation of raw Hides, pieces of Hides of black Cattle and Calf Skins, Beaver, Rackoon and fox furs, was read the second time, passed and sent to the Seante.

The Bill to erect a light House on Ocracoke Island, was read the second time, passed and sent to the Senate.

Received from the Senate a Bill to amend an Act intitled "an Act

to prevent the obtaining of Grants for lands lying in the western parts of this State, to the prejudice of the first entries," &c. Endorsed, read the first time and passed.

Mr. Stokes presented the Petition of Sundry of the Inhabitants of the District of Salisbury, praying, &c.; which being read was referred to the Committee of Propositions and Grievances and sent to the Senate.

Mr. Edward Jones presented the Memorial of Lewis McPherson; which being read was referred to Mr. Jones, Mr. Stokes, Mr. Smith and Mr. Lock, on the part of this House, and sent to the Senate.

Received from the Senate a Bill to incorporate certain persons in every Christian Church or Congregation throughout this State, and a Bill to enable Creditors more easily to recover their debts from joint partners and upon joint notes. Endorsed, read the first time and passed.

Received from His Excellency the Governor, the following Message:

To the Honourable the General Assembly:

Gentlemen:

I herewith transmit a Letter which I have just received from Abishai Thomas, Esquire, one of the Agents appointed to settle the accounts of this State with the United States, enclosing his account of expenditures in that service.

The Pacquet referred to in the above Letter I have not yet received.

SAM JOHNSTON,

Fayetteville, 12 Nov., 1789.

Ordered that the following Message be sent to the Senate:

Mr. Speaker & Gentlemen:

We herewith send you a Message this day received from His Excellency the Governor, together with a Letter and an account of expenditures, from Abishai Thomas, Esquire, one of the Commissioners for liquidating the accounts of this State with the United States, therein referred to, all which we propose referring to the Committee of Finance to report on.

Mr. Guion moved for leave and presented a Bill to repeal part of New Bern Town Law, which was read the first time, passed and sent to the Senate.

Mr. J. Allen moved for leave and presented a Bill to establish an Inspection of Pork, Beef and Naval Stores at Bryan's Ferry, on Neuse River, in Craven County; which was read the first time, passed and sent to the Senate.

The Bill for altering the name of James Rowsom to that of James Long, was read the third time, passed and ordered to be Engrossed.

Received from the Senate the Petition of Thomas Parker & The claim of Nathan Allen. Endorsed, read and referred as by the House of Commons.

Mr. Davie moved for leave and presented a Bill to establish an University in this State; which was read the first time, passed and sent to the Senate.

Mr. Guion moved for leave and presented a Bill to emancipate certain Negroes therein mentioned, which was read the first time, passed and sent to the Senate.

Mr. Guion moved for leave and presented a Bill to impower certain persons therein named to receive, sue for and recover all such bequests, donations, benefactions and other things as have heretofore been bequeathed, given or made by any person or persons whatsoever, for the use of the Congregation or Society of the Episcopal Communion of New Bern; which being read the first time was passed and sent to the Senate.

Received from the Senate a Bill to enable Thomas Callendar, acting Executor of the last Will of Parker Quince, late of New Hanover County, deceased, and the other persons therein named, to make sale of certain lands and Tenements, part of the residuary Estate of the said Parker Quince. Endorsed, read the first time and passed.

Received from the Senate the following Messages, to-wit:

Mr. Speaker & Gentlemen:

We agree that a Public Printer be balloted for on Saturday next, agreeable to your proposition, and approve of your nomination.

Mr. Speaker & Gentlemen:

We herewith send you the Petition of Robert Gilkey and Gasper Smith, which we propose shall be reported on by a joint Committee, and have appointed for this purpose on our parts, Mr. Singleton and Mr. Sevier.

Ordered that the following Message be sent to the Senate:

We agree that the Petitions of Robert Gilkey and Gasper Smith

be referred to a Special Committee of both Houses, and have on our parts appointed Mr. Smith, Mr. McLean, Mr. Wilson, Mr. Brevard and Mr. McDowall.

Resolved, That the Clerk of the Committee of Claims, and the Clerk of the Committee of Propositions and Grievances, be directed from day to day to advertise the time and place of meeting of those Committees respectively, for the information of all persons who may have business to transact before them.

Ordered that the Bill to amend an Act intitled "an Act to prevent the obtaining of Grants for Lands lying in the Western parts of this State, to the prejudice of the first enterers, and entered in the land office lately established for receiving entries of claims for such Lands by an Act intitled "an Act for opening the land office for the redemption of Specie and other Certificates and discharging the arrears due to the Army," passed at Fayetteville, 1786, be read on Saturday next for the second reading in this House.

The House adjourned until To-morrow Morning 10 O'clock.

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Friday, 13 November, 1789.

The House met according to adjournment.

Received from the Senate sundry claims. Endorsed, read and referred to the Committee of Claims; which being read were referred as by the Senate and returned.

Mr. Davie presented the Petition of the monthly meeting of the People called Quakers, which being read was referred on the part of this House to Mr. Davie, Mr. Lindley, Mr. Ellison and Mr. Hamilton and sent to the Senate.

The Bill to enable Thomas Callendar, acting Executor of the last Will of Parker Quince, late of New Hanover County, deceased, and the other Persons therein named, to make sale of certain Lands and Tenements, part of the residuary Estate of the said Parker Quince, was read the first time, passed and sent to the Senate.

Received from the Senate the following Bills. Endorsed, read the first time and passed.

A Bill to repeal part of an Act passed at Tarborough entitled "an Act to enable the County Courts to appoint Commissioners to keep open Rivers and Creeks," &c.;

A Bill to amend an Act intitled "an Act directing the mode of

proceeding against the real estate of deceased debtors where the personal estate is insufficient," &c.;

A Bill to establish an University in this State;

A Bill to amend an Act entitled "an Act for establishing Courts of Law and for regulating the proceedings therein," &c.

Received also a Bill to repeal part of an Act intitled "an Act once more to extend an Act entitled an Act to pardon and consign to oblivion the offences and misconduct of Certain Persons in the Counties of Washington, Sullivan, Greene and Hawkins." Endorsed, read the third time and passed.

Mr. Lindley presented the Petition of Jeremiah and Robert Field, which being read was referred on the part of this House, to Mr. Person, Mr. Lindley, Mr. Spiller and Mr. Peete and sent to the Senate.

The Bill to incorporate certain persons in every Christian Church or Congregation throughout this State, was read the first time and laid over until the next Assembly.

Received from the Senate the two following Messages, to-wit:

Mr. Speaker & Gentlemen:

We agree that the Message from His Excellency the Governor, of yesterday, together with its inclosures, be referred to the Committee of Finance as by you proposed.

Mr. Speaker & Gentlemen:

We agree that the report of the Commissioners appointed to punch the Claims and Certificates in the Comptrollers office, &c., be reported on by a joint Committee as by you proposed, and have appointed Mr. Ashe, Mr. Macon and Mr. Graham to act on the part of this House with the Gentlemen by you named.

Mr. Hawkins, from the Committee of Propositions and Grievances, delivered in a report, which being read was ordered to lie on the Table for Consideration.

Received from His Excellency the Governor, the following Message:

To the Honourable the General Assembly:

Gentlemen:

I herewith send you several dispatches from the Commissioners appointed to settle the accounts of this State with the United States of America, which I received this morning.

Ordered that the following Message be sent to the Senate:

Mr. Speaker & Gentlemen:

We herewith send you a Message of this day's date from His Excellency the Governor, accompanied with the papers and Statements therein referred to, which we propose referring to the Committee on Finance.

Ordered that Mr. Benjamin Smith be added to the Committee on Revenue and the Committee to equalize the land Tax.

Ordered that the following Message be sent to the Senate:

Mr. Speaker & Gentlemen:

We have added Mr. Benjamin Smith to the Committee on Revenue, and the Committee to equalize the Land Tax.

Mr. Rhea moved for leave and presented a Bill to repeal part of an Act intitled "an Act for raising a revenue for the support of Government," and to repeal an Act intitled "an Act to suppress excessive gaming;" pased at Hillsborough, in April in the year 1784; which was read the first time, passed and sent to the Senate.

Mr. Blount presented the claims of Joseph Gardner and Mary Randolph for their attendance as Witnesses in the behalf of the State, which being read were referred to the Committee of Claims and sent to the Senate.

Mr. Wood moved for leave and presented a Bill impowering the several County Courts within this State to direct the places where the several offices of their respective Counties shall be kept; which was read the first time, passed and sent to the Senate.

Mr. Ewing moved for leave and presented a Bill to alter the present mode of swearing Petit Juries in the Courts of Law in this State; which was read the first time, passed and sent to the Senate.

Mr. Stokes presented the Petition of James Greenleaf, which being read was referred to the Committee of Propositions and Grievances and sent to the Senate.

Mr. Drew presented the Memorial of Andrew Jackson, which being read was referred to the Committee of Claims and sent to the Senate.

Mr. Stokes presented the Petition of Robert Lynn, in behalf of the orphans of Philip Rough, which being read was referred to the Committee on the Petition of William Branson, and sent to the Senate.

Ordered that the following Message be sent to the Senate:

Mr. Speaker & Gentlemen:

We propose that the Bill to repeal part of an Act once more to

extend "an Act to pardon and consign to oblivion the offences, &c., of certain Persons in the Counties of Washington, Sullivan, Greene and Hawkins," be referred to a joint Committee who are to examine into the propriety of passing these and make report thereon; for this purpose we have on our parts, appointed Mr. Davie, Mr. Hawkins, Mr. Spiller and Mr. Hamilton of Edenton.

Received from the Senate the following Message:

Mr. Speaker & Gentlemen:

We herewith send you the Petition of Mary McFall, together with an order of the County Court of Bladen relative thereto, which we propose shall be referred to a special Committee to report what relief ought to be given to the Petitioner, and all others similarly circumstanced. For this purpose we have appointed Mr. Bloodworth, Mr. Skinner & Mr. Brown.

Ordered that the following Message be sent to the Senate:

Mr. Speaker & Gentlemen:

We have received your Message proposing to refer the Petition of Mary McFall to a joint Committee, who are to report thereon and what relief ought to be given to her, as well as to others similarly circumstanced, and we have appointed on our parts Mr. Stewart, of Bladen, Mr. Jones of Wilmington, Mr. Sneed, Mr. Spicer and Mr. Dickson.

Received from the Senate the Petition of George Hoskins; the Petition of Thomas Withers, and the Petition of James Mebane and John Taylor. Endorsed, read and referred as by the House of Commons.

Mr. John Gray Blount, one of the Members for Beaufort County, appeared, was qualified and took his seat.

Received from the Senate the following Message:

Mr. Speaker & Gentlemen:

We propose that the balloting heretofore agreed on for a Governor, place at which the next Assembly shall be held, and a public Printer, be postponed to a more distant day.

Ordered that the following Message be sent to the Senate:

Mr. Speaker & Gentlemen:

This House have received the Message of yours proposing to postpone the balloting for a Governor, &c., to a more distant day than that before agreed on, with which we cannot concur.

Received from the Senate the following Message:

Mr. Speaker & Gentlemen:

We propose that the Committee appointed to report on the Petition of Greenbury Sutton do also report on the propriety of erecting a distinct Port in the County of Hyde.

Ordered that the following Message be sent to the Senate:

Mr. Speaker & Gentlemen:

We agree that the propriety of establishing a distinct Port in the County of Hyde be reported on as by proposed.

Ordered that the following Bills be read to-morrow for the second reading in this House, to-wit:

A Bill to amend an Act intitled "an Act directing the mode of proceeding against the real estate of deceased debtors, where the personal estate is insufficient for the payment of the debts;"

A Bill to establish an University in this State;

A Bill to amend an Act for establishing Courts of Law and for regulating the proceedings therein, and another act intitled "an Act for giving an Equity jurisdiction to the Superior Courts."

Received from the Senate the claim of Charles L. Hunter, Jailor, &c.; The Memorial of Spruce McKay; the Petition of John Armstrong, and the Petition of Sundry Inhabitants. Severally endorsed, read and referred as by the House of Commons.

Received also the Memorial of John Butler. Endorsed, read and referred to Mr. Macon, Mr. Tho. Brown & Mr. Graham on the part of the Senate; and the Petition of William Brandon. Endorsed, read and referred to Mr. Riddick, Mr. Berger & Mr. Dickson on the part of the Senate.

Received from the Senate a Bill to erect a light House on Ocracoke Island. Endorsed, read the second time and passed.

The Bill to carry into effect the ordinance of the Convention held at Hillsboro in July, 1788, intitled "an Ordinance for establishing a place for holding the future meetings of the General Assembly, and the place of residence of the Chief Officers of the State," was read the second time, and the question being put shall this bill pass, was negatived; whereupon, the yeas and nays were called for by Mr. Bonds and seconded by Mr. Lindley, which are as follows, vizt:

Yeas—Messrs. Grist, T. P. Williams, Duke, Bell, J. Allen, Sawyer, Dauge, Womack, J. Hill, E. Phillips, Sherrod, D. Rice, Dick-

ens, Person, Alderson, Outlaw, Yancey, Creecy, B. Williams, J. Bryan, Qualls, Norfleet, Baker, White, J. Johnston, Bonds, J. Stewart, W. Williams, S. Allen, Perry, Sutton, Armstrong, Everagin, Reading, Drew, Chesson, E. Hamilton, Guion, Hines, Spruill, P. Hawkins, Handley, W. Hawkins, Sanders, Ellison, Vick, T. Blount, Wallace, Davie, J. G. Blount.—50.

Nays:—Messrs. W. Wood, May, McKay, McDowall, Cowan, D. Stewart, Grove, Rice, Ewing, Beck, Anderson, J. Stewart, Dickson, G. Hamilton, Gillispie, Moore, King, Matthews, Brevard, Barrott, Spicer, Sneed, Phifer, Douglass, Peete, Maclaine, W. Johnston, Tindale, Tyson, Mebane, Rhea, E. Jones, A. Phillips, Bethell, Bostick, Nash, H. Brown, Scott, Edwards, T. Johnston, Love, Barnes, Blair, Lock, A. Hill, Holland, Wilson, Porter, Robeson, B. Jones, Chambers, J. Brown, Lindley, Z. Wood, Spiller, J. Thompson, Stokes, Tennard, B. Smith, Pride.—60.

Received from the Senate the Petition of Joseph Cunningham. Endorsed, read and referred to the Committee of Propositions and Grievances; which being read was referred as by the Senate and returned.

Mr. Tyson presented the Petition of Marmaduke Maples, which being read was referred to the Committee of Propositions and Grievances and sent to the Senate.

Received from the Senate the claim of Joseph Gardner & Mary Randolph; The Memorial of Andrew Jackson and the Petition of James Greenlee. Endorsed, read and referred as by the House of Commons.

Received from the Senate the Petition of Jonas Hinton. Endorsed, read and referred to the Committee appointed on the Petition of Gasper Smith; which being read was referred as by the Senate and returned.

Ordered that Mr. Davie be added to the Committee appointed on the report of the Commissioners appointed to punch the Claims and Certificates in the Comptroller's office, &c.

Ordered that the following Message be sent to the Senate:

Mr. Speaker & Gentlemen:

We have added Mr. Davie to the Committee appointed on the report of the Commissioners appointed to punch the claims and Certificates in the Comptroller's office.

Received from the Senate the Petition of the monthly meeting of

the People called Quakers. Endorsed, read and referred to Mr. Gowdy, Mr. Tho. Brown and Mr. Harget, on the part of the Senate.

Received from the Senate the Petition of Jeremiah and Robert Field. Endorsed, read and referred to Mr. Gowdy, Mr. Yates and Mr. Winston, on the part of the Senate.

Received from the Senate the following Bills. Endorsed, read the first time and passed; to-wit:

A Bill to regulate the practice of Physic and Surgery;

A Bill to repeal part of the New Bern Town Law;

A Bill for processioning Lands within this State;

A Bill to amend an Act intitled "an Act concerning proving Wills and granting Letters of Administration, and to prevent frauds in the management of intestates estates."

Ordered that the last mentioned Bill be read To-morrow for the second reading in this House.

The House adjourned until To-morrow Morning 10 O'clock.

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SATURDAY, 14 November, 1789.

The House met according to adjournment.

Received from the Senate the Memorial of Lewis McPherson. Endorsed, read and referred to Mr. Ashe, Mr. Gregory and Mr. Skinner, on the part of the Senate.

Mr. Dickens presented the Petition of sundry of the Inhabitants of Caswell County, praying a division thereof; which being read was referred to the Committee appointed on the Petition and Bill for dividing the County of Hawkins, and sent to the Senate.

Mr. W. Johnston presented the claim of John Whitaker, which being read, was referred to the Committee of Claims and sent to the Senate.

Mr. Johnston presented the Petition of John Shankle, which being read, was referred to the Committee of Propositions and Grievances and sent to the Senate.

Mr. Bonds moved for leave and presented a Bill for impowering the several County Courts within this State to appoint Patrolls and directing their duty in office, which was read the first time, passed and sent to the Senate.

Received from the Senate the following Message:

Mr. Speaker & Gentlemen:

The Message from His Excellency the Governor, together with the papers accompanying it, we agree with you in referring to the Committee of Finance.

Mr. Hamilton, of Guilford, presented the Memorial of Hance Hamilton, which being read, was referred to the Committee of Claims and sent to the Senate.

Mr. Stokes presented the Memorial of John Whitaker, which being read, was referred to the Committee of Propositions & Grievances and sent to the Senate.

Mr. Mebane presented the Petition of George Doherty, which being read, was referred to the Committee of Claims and sent to the Senate.

Mr. John Brown presented the Petition of sundry of the Inhabitants of Burke County, praying that a part of the said County be added to Wilkes County, which being read, Mr. Brown moved for leave and presented a Bill to answer the prayer thereof; which was read the first time, passed and sent to the Senate.

Mr. E. Jones presented the Petition of James Richard, praying, &c., which being read, Mr. Jones moved for leave and presented a Bill to confirm the marriage of James Richard, of Brunswick County, with Nancy Richard, otherwise Neale, which was read the first time, passed and sent to the Senate.

Mr. Bonds presented the Petition of sundry of the Inhabitants of Leesburg, in Caswell County, on the subject of the division thereof: which being read, was referred to the Committee on the Petition for the division of Hawkins County, and sent to the Senate.

Mr. John G. Blount presented the Petition of Alexander Outlaw, of Greene County, which being read, was referred to the Committee of Claims and sent to the Senate.

Mr. J. Allen presented the resignation of Thomas Pugh, a Justice of the Peace for Bertie county, which being read, was accepted by this House and sent to the Senate.

Received from the Senate the Memorial of Older Neal. Endorsed, read and referred to the Committee on the Petition of Greenbury Sutton; which being read, was referred as by the Senate and returned.

Mr. Phifer presented the Petition of sundry of the Inhabitants of Mecklenburg County, praying a division thereof; which being

read, Mr. Phifer moved for leave and presented a Bill to answer the prayer of the said Petition, which was read the first time and sent to the Senate.

The Bill for processioning Lands within this State, was read the first time, passed and sent to the Senate.

Mr. Davie moved for leave and presented a Bill providing means for the payment of the domestic debt, for the appropriating certain monies therein mentioned, and to amend an Act passed at the last Session of the General Assembly, intitled "an Act for levying a tax for the Support of Government, and for the redemption of old paper currency, Continental Money, Specie and other Certificates," which was read the first time, passed and sent to the Senate.

Mr. Wilson moved for leave and presented a Bill for granting a longer time for the surveying of certain lands, which was read the first time, passed and sent to the Senate.

Mr. Davie, from the Committee to whom was referred the Petition of the monthly meeting of the People called Quakers, delivered in the following Report:

Your Committee to whom was referred the Petition of the monthly meeting of the people called Quakers, of New Garden in Guilford County, on examining the papers and evidence relative to the allegations of the said Petition find that a certain Richard Williams did, on the 19th day of October, 1757, convey the tract of Land mentioned in the Petition to a certain Henry Ballinger and Thomas Hunt and their Successors, for the purpose of having a meeting House, and burying rounds for the people called Quakers; it appears that the purchase was made for the use and benefit of the monthly meeting above mentioned, that Thomas Hunt and Henry Ballinger are dead, that there are no successors nor any means of appointing such. Your Committee therefore recommend that a Bill be passed vesting the said Land in fee in the said monthly meeting agreeably to the intentions of the original purchase.

All which is submitted.

WILLIAM R. DAVIE, Chn.

The House taking this report into consideration Concurred therewith. Whereupon Mr. Davie moved for leave and presented a Bill to vest certain Lands therein mentioned in the monthly meeting of the people called Quakers, of New Garden in Guilford County; which was read the first time, passed and sent to the Senate.

Mr. Guion presented the Memorial of Sundry of the Inhabitants of Craven County, setting forth, &c.; which being read, Mr. Guion moved for leave and presented a Bill to alter and amend an Act of the General Assembly passed in the year 1784, intitled "an Act to prevent the exportation of unmerchantable Commodities;" which was read the first time, passed and sent to the Senate.

The Bill to repeal part of an Act passed at Fayetteville, 1786, intitled "an Act to impose a duty on all Slaves brought into this State by land or water," was read the second time and rejected.

Mr. Edwd. Jones presented the Petition of George Hooper & Co., and James Richie & Co.; which being read, was referred to the Committee of Propositions and Grievances and sent to the Senate.

Mr. Guion presented the claims of William Dudley, Jailor, John Barrington and William Good; which being read, were referred to the Committee of Claims and sent to the Senate.

Mr. Hamilton presented the Petition of John Smallwood, which being read, was referred to the Committee of Propositions and Grievances and sent to the Senate.

Mr. Nash presented the claim of John McCarrell, which being read, was referred to the Committee of Claims and sent to the Senate.

Mr. Guion presented the Claim of Doctor Wm. McClure, which being read, was referred to the Committee of Claims and sent to the Senate.

The Bill to amend an Act intitled "an Act directing the mode of proceeding against the real estate of deceased debtors, where the personal estate is insufficient for the payment of the debts;" was read the second time, amended, passed and sent to the Senate.

Received from the Senate the following Bills. Endorsed, read the first time and passed, to-wit:

A Bill for pardoning John Bradley, of the Town of Wilmington;

A Bill to emancipate certain negroes therein mentioned;

A Bill to alter the present mode of swearing petit Juries in the Courts of Law in this State;

A Bill to alter the manner of fining and imprisoning offenders;

A Bill to repeal part of an Act intitled "an Act for raising a revenue for the support of Government," and to repeal an Act intitled "an Act to suppress excessive gaming," &c.;

A Bill to amend an Act intitled "an Act to establish in the Towns

of Washington, Edenton, New Bern and Wilmington Courts for the speedy decision of Mercantile transactions with foreigners and transient persons and Maritime Affairs."

Received from the Senate the resignation of Valentine Baird and Edmund Waddell, two Justices of the Peace. Endorsed, read and accepted.

Received from the Senate the following Message:

Mr. Speaker & Gentlemen:

We have received your Message proposing that the propriety of passing the Bill to repeal part of "an Act to pardon and consign to oblivion the offences and misconduct of certain persons in the Counties of Washington, Sullivan, Greene and Hawkins," be reported on by a joint Committee, to which we cannot agree, from these principles, that the Bill has already had a third reading in this House; of course its utility fully investigated, and that now to commit it would be contrary to all rule heretofore observed.

Ordered that Mr. Rhea have leave to withdraw for amendment the Bill to amend an Act intitled "an Act to prevent the obtaining grants for Lands lying in the Western part of the State," &c.

Received from the Senate the Resolution of this House for exhibiting, in the first instance, all claims to the Committee of Claims, concurred with.

Received from the Senate the following Message:

Mr. Speaker & Gentlemen:

We propose that the propriety of dividing the Counties of Surry and Mecklenburg, and of annexing part of the County of Iredell to Rowan, and the Bill to repeal an Act to annex part of the County of Washington to Sullivan, be reported on by the Committee appointed on the Petition and Bill for the division of Hawkins County.

Ordered that the following Message be sent to the Senate:

Mr. Speaker & Gentlemen:

We agree that the propriety of dividing the Counties of Surry and Mecklenburg and of annexing part of the county of Iredell to Rowan, and the Bill to repeal an Act to annex part of the County of Washington to Sullivan, be reported on as by you proposed.

Received from the Senate the following Bills. Endorsed, read the first time and passed; to-wit:

A Bill for adding Randolph County to Salisbury District, and Rockingham County to Hillsborough District;

A Bill to impower certain persons therein named to receive, sue for and recover, all such bequests, Donations and other things as have heretofore been bequeathed, given, or made by any person or persons whatsoever, for the use of the Congregation or Society of the Episcopal Communion of New Bern;

A Bill for defraying the expences of an expedition carryed on against the Cherokee Indians;

A Bill providing means for the payment of all the domestic debt, for appropriating certain monies therein mentioned, and to amend an Act passed at the last Session of the General Assembly intitled "an Act for levying a tax for the support of Government," &c.;

A Bill to impower the Wardens of the Poor for the County of Currituck, to lay a tax, &c.;

A Bill to authorize the County Courts in this State to annually elect a certain number of Justices in each County to attend to the business thereof, and to constitute a quorum in each County, and to impeach and try all officers guilty of misdemeanor in office, &c.

Received also, a Bill to prevent the exportation of raw Hides, &c. Endorsed, read the third time and passed.

Mr. E. Jones moved for leave and presented a Bill to allow Merchants and others, who Import Salt into this State, a drawback on the Cargoe in the Import duties; which was read the first time, passed and sent to the Senate.

Received from the Senate the following Message:

Mr. Speaker & Gentlemen:

Mr. Skinner and Mr. Lenoir will, on the part of this House, superintend the balloting heretofore agreed on.

Ordered that the following Message be sent to the Senate:

Mr. Speaker & Gentlemen:

This House have appointed on their parts, Mr. Thomas Blount and Mr. Sanders to superintend the balloting this evening for a Governor, &c.

Received from the Senate a Bill to enable Thomas Callendar, acting executor of the last Will of Parker Quince, late of New Hanover County, deceased, and the other persons therein named, to make sales of certain Lands and Tenements, part of the residuary estate of the

said Parker Quince. Endorsed, read the second time and passed.

Received from the Senate the following Message:

Mr. Speaker & Gentlemen:

We herewith send you the Petition of William Boykin, of Wayne County, which we propose shall be referred to the consideration of a joint Committee who shall report their opinion of the hardships therein set forth, and the relief necessary to be given for this purpose. We have appointed Mr. McKinnie, Mr. Bloodworth, Mr. Gregory and Mr. A. Bryan.

Ordered that the following Message be sent to the Senate:

Mr. Speaker & Gentlemen:

We have received your Message accompanied by the Petition of William Boykin, and agree that the same be referred to a joint Committee, and have on our parts appointed Mr. Davie, Mr. McDowall, Mr. Jones, Mr. Person, Mr. Spiller and Mr. Hamilton of Edenton.

Received from the Senate a resolution of that House directing the Comptroller to make an allowance to Green Duke for a waggon and Team impressed from him, &c.; which being read, was rejected, whereupon,

Resolved, That the Comptroller be, and he is hereby directed on application of Green Duke, and on his making it appear that he has not received any satisfaction for the use of a Waggon and Team Impressed from him to make such allowance for the hire of said Waggon as has been made to others in such cases, and distinguish the claim in such manner, as that if a proper one against the United States, it may be best supported.

Mr. Mebane, from the Committee to whom was referred the Petition of William Brandon, delivered in a report thereon, which being read and amended, was agreed to as follows, to-wit:

The Committee to whom the Petition of William Brandon of Rowan County was referred, Report,

That having duly enquired into the legality of the allegations set forth in the said Petition, they find them well supported, and that the Petitioner and his sureties are in such insolvent circumstances that they are utterly incapable of paying any thing towards the discharge of the debt, but what can be raised from the sale of the Lands, which if sold by execution will probably produce considerably less to the

State than their real value; Therefore are of opinion that a resolution be passed directing the Treasurer to stop the prosecution and deliver to the said William his Bond for the purchase money on his returning back the plots of the lands so purchased, to the State, and paying all costs accruing therefrom, if any.

All which is submitted.

ALEXANDER MEBANE, Chn.

Whereas, it has been represented to this General Assembly by William Brandon of Rowan County, that he purchased of the Commissioners of Confiscated property in Salisbury District, four Tracts of Land late belonging to Henry Eustace McCulloch, on the Yadkin River, the Uwharie River and Abbot & Cane Creeks, and that he is about to be sued for the purchase Money by the Treasurer, and his Petition having been referred to a Committee, and that Committee reported that the said William Brandon and his sureties are in such insolvent Circumstances that there is no probability of their being able to pay the said purchase Money, otherwise than by the sale of the Lands, which sale may prove considerably detrimental to the State, and have recommended that he be released from the Contract, therefore,

Resolved, That the Treasurer be and he is hereby directed to abstain from the prosecution of any suit to be commenced on the Bonds given for the purchase Money aforesaid, for the said Lands, the said Brandon returning Plots of the Lands so purchased to the Secretary of State, and paying all costs which have accrued or may accrue by the commencement of the said suit before notice of this resolution to the Treasurer, and producing to the said Treasurer the Secretary's receipt for such plots.

The House adjourned until 4 O'clock P. M.

Met according to adjournment.

Mr. John Allen Campbell, one of the Members for New Hanover County, appeared, was qualified and took his seat.

Received from the Senate the following Message:

Mr. Speaker & Gentlemen:

We are now ready to proceed on the balloting, and propose that th Superintendents wait on those Members who, from indisposition, cannot attend, in order to receive their votes.

Ordered that the following Message be sent to the Senate:

Mr. Speaker & Gentlemen:

This House are also ready to proceed to ballot immediately for the Governor, &c., and consent that the sick absent Members be waited on by the Superintendents in order to receive their ballots; the Superintendents on our part attend you herewith for that purpose.

Received from the Senate the resignation of Duncan McNeil. Endorsed, read and accepted; which being read, was accepted by this House and returned.

Mr. Mebane presented the resignation of Alexander Mebane, the elder, a Justice of the Peace for Orange County; which being read, was accepted and sent to the Senate.

Mr. Edward Jones presented the Petition of Patrick Travers; which being read, was referred to the Committee of Propositions and Grievances and sent to the Senate.

Received from the Senate the Report of the Committee on the Memorial of William Brandon, and the resolution of this House in consequence thereof, Concurred with by that House.

Received from the Senate a Bill for impowering the several County Courts within this State to appoint Patrolls and directing their duty in office. Endorsed, read the first time & passed.

Received from the Senate the resolution of this House directing the Comptroller to allow Green Duke for a Waggon, &c., as therein expressed, concurred with.

Mr. Guion moved for leave and presented a Bill to incorporate the Tradesmen and manufacturers of the Towns of New Bern, Wilmington, Washington and Halifax.

Mr. Guion moved for leave and presented a bill to regulate the Election for Members of Assembly in the different Towns in this State.

Mr. Hamilton of Edenton, moved for leave and presented a Bill to enable the Bastard Children of John Oggs, deceased, of the County of Pasquotank, to hold and enjoy the real and personal estate which was bequeathed to them and their heirs by the said John Oggs.

Mr. Guion moved for leave and presented a Bill for the better regulation of the Towns of New Bern, Edenton, Washington, Wilmington and Halifax.

The House adjourned until Monday Morning 10 O'clock.

MONDAY, 16 November, 1789.

The House met according to adjournment.

Mr. John Baker, one of the Members for Gates County, and Joseph McDowall, Junr., one of the Members for Burke County, appeared, were qualified and took their seats.

Mr. John G. Blount presented the Petition of John Gray and Thomas Blount, which being read, was referred to the Committee of Claims and sent to the Senate.

Mr. Mebane presented the Petition of Alcey Ross, Administrator of the Goods, &c., of Andrew Ross; which being read, was referred to the Committee of Propositions and Grievances and sent to the Senate.

Mr. Wood presented the resignation of James Farr as first Major of the Anson Regiment of Militia, which being read, was accepted by this House and sent to the Senate.

Mr. Thomas Blount, from the joint Balloting for a Governor, Public Printer and the place at which the next General Assembly shall be held, Reported,

That Samuel Johnston, Esquire, was elected Governor; Messrs. Hodge & Wills Public Printers, and that no one place in nomination for holding the next General Assembly at had a Majority of Votes.

The House taking this report into Consideration Concurred therewith.

The Bill to confirm unto William Boykin an indefeasible title to certain lands therein mentioned in Wayne County, was read the first time, passed & sent to the Senate.

Received from the Senate the following Message:

Mr. Speaker & Gentlemen:

This being the day fixed on for the meeting of the Convention, we propose that the two Houses adjourn until Thursday next in order to forward that business.

Ordered that the following Message be sent to the Senate:

Mr. Speaker & Gentlemen:

We have received your Message proposing that the two Houses adjourn till Thursday next. We cannot agree to this proposition, believing that it would be more eligible for the Assembly to Adjourn from two days to two days and therefore proposed in lieu thereof that the two Houses adjourn to Wednesday next.

The Bill for erecting and establishing a Town at Hawkins Court House was read the second time, passed and sent to the Senate.

Mr. John G. Blount presented the Petition of James Bonner and the Petition of Henry Smaw; which being read, was referred to the Committee of Propositions and Grievances and sent to the Senate.

Mr. Benj. Smith presented the Memorial and Petition of Thomas Horsey of Derby, in the State of Connecticut; which being read, was referred to Mr. Hawkins, Mr. Person, Mr. Hamilton, Mr. Lock and Mr. Jones, on the part of this House, and sent to the Senate.

Received from the Senate the following Message:

Mr. Speaker & Gentlemen:

We propose that the two Members from each House be appointed to wait on and inform Samuel Johnston, Esquire, of his late appointment of Governor of this State, and request information when it will be convenient for him to attend and take the oaths of qualification; for this purpose we have on our part appointed Mr. Lenoir and Mr. Brown.

Ordered that the following Message be sent to the Senate:

Mr. Speaker & Gentlemen:

We agree that two Members from each House of the Legislature wait on the Honourable Samuel Johnston, Esquire, and acquaint him with his election to the Chief Magistracy of this State, and request to know of him when it will be convenient to attend and take the Oaths of qualification, and have for this purpose on our parts, appointed Mr. Hamilton and Mr. Person.

Mr. Stokes, from the Committee to whom the Memorial of Lewis McPherson, Mercht. of the Town of Wilmington, was referred, delivered in the following Report:

The Committee to whom the Memorial of Lewis McPherson, Merch't. of the Town of Wilmington, and Agent for William Anderson of Jamaica, was referred, Report,

That on an examination of the said Memorial and the several papers accompanying the same, it appears to the Committee that the Cutter Mary, Peter Smillie Master, belonging to William Anderson of Jamaica, aforesaid, was on her voyage from thence to Wilmington in this State, dis-masted and otherwise so injured in a heavy gale of wind as to be adjudged on her arrival unfit for Sea Service;

That by an Act of Parliament of Great Britain Masters or owners

of Vessels in cases of Shipwreck, Sale or condemnation are compelled to produce the Registers of the vessels so lost, condemned or sold, or otherwise incur a heavy penalty;

That the said William Anderson, in consequence of a detention of the Register of the said Cutter Mary in the Naval office of Port Brunswick, is sued for the said penalty in the Island of Jamaica.

The Committee therefore are of opinion and recommend that John Walker, Esquire, Naval officer of Port Brunswick aforesaid, be directed to deliver to Lewis McPherson of Wilmington an agent for the said William Anderson the Register and all other papers belonging to the said Cutter Mary, so condemned as aforesaid, which is submitted.

J. STOKES, Chn.

The House taking this report into Consideration Concurred therewith.

Received from the Senate the following Message:

Mr. Speaker & Gentlemen:

We agree that the two Houses adjourn till Wednesday next agreeable to your proposition.

Received from the Senate the report of the Committee on the Memorial of Lewis McPherson, Concurred with by that House.

The House adjourned until Wednesday Morning 10 O'Clock.

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WEDNESDAY, 18 November, 1789.

The House met according to adjournment.

Mr. Edward Williams, one of the Members for Richmond County, appeared, was qualified and took his seat.

Received from the Senate the following Message:

Mr. Speaker & Gentlemen:

We propose that the two Houses adjourn till next Friday 9 o'clock in order that the business of the Convention may be proceeded on.

Ordered that the following Message be sent to the Senate:

Mr. Speaker & Gentlemen:

We have received the Message of your House proposing that the General Assembly adjourn till Friday next, with which we concur.

Received from the Senate a Bill to impower the Wardens of the

Poor for the County of Franklin to build a House or Houses for the reception of the poor. Endorsed, read the first time and passed.

The House adjourned until Friday morning 9 O'clock.

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Friday, 20 November, 1789.

The House met according to adjournment.

Mr. Bonds presented the Memorial of Samuel Westray, Sheriff of Nash County; which being read was referred to the Committee of Propositions and Grievances and sent to the Senate.

Mr. Bonds presented the Petition of Thomas Viverett of Nash County, which being read, was referred to the Committee of Propositions and Grievances and sent to the Senate.

Mr. Davie presented the Petition of Cosimo Medici, which being read was referred to the Committee of Propositions and Grievances and sent to the Senate.

Mr. Hamilton of Edenton, presented the Petition of Ben. Jones, which being read was referred to the Committee appointed on the Petition of Mr. McPherson and sent to the Senate.

Resolved, That the Members of Assembly who have attended at this place as Members of the Convention also, shall not be allowed for attending and travelling otherwise than as Members of Assembly and not for both, and those who are Members of Convention only shall be allowed according to the resolution of the last Assembly for calling the Convention.

Received from the Senate the following Message:

Mr. Speaker & Gentlemen:

It is the opinion of this House that the General Assembly adjourn til Monday next in order that the business of the Convention may be compleated.

Ordered that the following Message be sent to the Senate:

Mr. Speaker & Gentlemen:

We cannot concur with your proposition for an adjournment till Monday next, but propose that the two Houses adjourn till to-morrow morning 9 O'clock.

Ordered that Mr. Sheppard and Mr. Vick have leave to absent themselves from the service of this House after this day.

The House adjourned until To-morrow morning 9 O'Clock.

SATURDAY, 21 November, 1789.

The House met according to adjournment.

Mr. McDowall presented the Petition of William Morrison, which being read, was referred to the Committee of Propositions and Grievances and sent to the Senate.

Mr. Dauge moved for leave and presented a Bill to repeal part of an Act intitled "an Act to regulate and ascertain the several officers fees therein mentioned, and for altering the times of holding Courts of Law and Equity for the Districts of Halifax, Edenton, New Bern and Wilmington," passed at New Bern the twenty second of October, one Thousand seven Hundred and Eighty-four; which was read the first time, passed and sent to the Senate.

Mr. Porter presented the Petition of Timothy Riggs, which being read was referred to Mr. Mebane, Mr. Porter, Mr. Grove, Mr. T. Blount and Mr. B. Jones on the part of this House, and sent to the Senate.

Mr. E. Jones moved for leave and presented a Bill to amend an Act intitled "an Act to amend an Act for the promotion of learning in the District of Wilmington."

Mr. Outlaw moved for leave and presented a Bill for dividing the County of Greene.

Ordered that the following Message be sent to the Senate:

Mr. Speaker & Gentlemen:

We herewith send you a Bill for dividing the County of Greene, which we propose referring to the Committee appointed to take under consideration the Bill and Petition for dividing the County of Hawkins.

Mr. Dickens presented the resignation of John Shelton, a Justice of the Peace for Caswell County, which being read was accepted by this House and sent to the Senate.

Received from the Senate the following Message:

Mr. Speaker & Gentlemen:

It is our opinion that the two Houses adjourn till Monday Morning 9 O'clock in order that the business of the Convention may be compleated.

Ordered that the following Message be sent to the Senate:

Mr. Speaker & Gentlemen:

We consent that the two Houses adjourn to Monday next as by you proposed, and

Ordered that Mr. John G. Blount have leave to absent himself from the service of this House after To-morrow.

Received from the Senate the following Message:

Mr. Speaker & Gentlemen:

We propose that the two Houses assemble on Tuesday next at 12 O'clock in the room where the House of Commons sit, in order to receive Samuel Johnston, Esquire, and Administer the necessary oath of qualification previous to his entering on the duties of his late appointment. Should this proposition meet your approbation, Mr. Lenoir and Mr. Brown will, on the part of this House, wait on and conduct Mr. Johnston into the presence of the General Assembly.

Ordered that the folowing Message be sent to the Senate:

Mr. Speaker & Gentlemen:

This House have received your Message proposing that the two Houses of the Legislature do assemble on Tuesday next at Twelve O'clock in the Commons room in order to receive the Honorable Samuel Johnston, Esquire, in order to be qualified by taking the necessary Oaths for taking upon himself the exercise of the office of Governor of this State. We have on our parts appointed Mr. Davie and Mr. Smith to wait on him and acquaint him that the General Assembly will then receive him for the above purpose.

Received from the Senate the resignation of Thomas Pugh, Senior, of his office of Justice of the Peace for Bertie County; the resignation of Alexander Mebane, Senior, as a Justice of the Peace for Orange County, and the resignation of James Farr, as first Major of the Anson Regiment of Militia. Severally endorsed, in Senate, read and accepted.

Received also from the Senate the account of William Dudley, Gaoler; the account of John Barrington; the accompt of Doctor William McClure; the Petition of Henry Smaw; the Petition of Thomas Viverett; the Petition of Cosimo Medici; the Petition of John Gray and Thomas Blount; the Petition of George Doherty; the accompt of John McCarrell; the Petition of Benjamin Jones; the Petition of James Bonner; the Memorial of Hance Hamilton; the Petition of John Shankle; the Memorial of John Whitaker; the Petition of

John Smallwood; the Petition of Alsey Ross and John Taylor; the Memorial of Patrick Traverse; the Petition of George Hooper & Co.; and of John Retchie & Co.; and the Petition of the Inhabitants of Leesburg; the Petition of Benjamin Sheppard; the Petition of Samuel Westray, Sheriff of Nash County; the Petition of William Morrison, and the Petition of sundry the Inhabitants of the County of Caswell. Severally endorsed, in Senate, read and referred as by the House of Commons.

Received also from the Senate, the Petition of Timothy Riggs. Endorsed, read and referred on the part of this House, to Mr. Singleton, Mr. Blount, Mr. Charles McDowall and Mr. Mayo.

Received also the Memorial and Petition of Thomas Horsey. Endorsed, in Senate, read and referred on the part of this House to Mr. Reddick and Mr. Easton.

Received from the Senate, the Resolution of this House directing in which manner allowances shall be made to the Members of the Convention, &c., concurred with.

The House adjourned until Monday Morning 9 o'clock.

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Monday, 23 November, 1789.

The House met according to Adjournment.

Received from His Excellency the Governor, the following Message:

To the Honorable the General Assembly:

Gentlemen:

I herewith send you a packet which I have received this morning from Mr. Alexander Dromgoole, enclosing a letter from Alexander McGilvray, Chief of the Creek Nation of Indians, and other papers which I submit to your Consideration.

SAM. JOHNSTON.

Ordered that the following Message be sent to the Senate:

Mr. Speaker & Gentlemen:

We herewith send you a Message this day received from His Excellency, enclosing papers from the Chief of the Creek Nation and others, together with the papers therein referred to; which we propose referring to the Committee on Indian Affairs.

Received from the Senate the following Message:

Mr. Speaker & Gentlemen:

It is the sense of this House that the General Assembly proceed to ballot on Tuesday next at 4 O'clock in the afternoon for a Council of State, public Treasurer and place at which the next Assembly shall be held, and nominate for Councillors, James Iredell, John Mair, W. Hill, Dempsey Conner, W. Littlejohn, Allen Jones, Josiah Collins, John Stokes, William Boritz, Thomas Eaton, James Armstrong, William McKenzie and Isaac Gregory, Esquires. For public Treasurer, John Haywood, Esquire; and for the place at which the next Assembly shall be held the Towns of Tarborough, Fayetteville and Nashville.

Ordered that the following Message be sent to the Senate:

Mr. Speaker & Gentlemen:

We have received the Message of your House proposing to ballot to-morrow at 4 O'clock for a Council of State, public Treasurer and the place at which the next Assembly shall be helld, with which we do not concur; but propose that the balloting be postponed to a future day.

Resolved, That the Members of Convention from Mero District who are not Members of Assembly shall be allowed, for coming and going, the same allowance as was made to the Members of the last Assembly who came from that District.

Mr. Davie presented a representation from the Judges of the Superior Court on the subject of the depreciation of salary, which was read and referred on the part of this House to Mr. Person, Mr. Lock, Mr. Davie, Mr. Stokes and Mr. McDowall.

Mr. Hamilton of Edenton, moved for leave & presented a Bill to ratify the amendments to the Constitution of the United States; which was read for the first time, passed and sent to the House.

The House adjourned until to-morrow Morning 8 O'clock.

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Tuesday, 24 November, 1789.

The House met according to Adjournment.

Mr. Stokes presented the Petition of Sundry of the Inhabitants of Rowan County, praying, &c.; which being read, Mr. Stokes moved for leave and presented a Bill to form part of the Militia of Rowan

County into a separate battalion, which was read the first time, passed and sent to the Senate.

Mr. Rhea presented the Petition of sundry of the Inhabitants settled on French Broad River, which being read, was referred to the Committee on Indian Affairs, and sent to the Senate with the following Message:

Mr. Speaker & Gentlemen:

We herewith send you the Petition of sundry of the Inhabitants south of French Broad River, which we propose referring to the Committee on Indian Affairs, and have added to this Committee Mr. Davie, Mr. Stokes and Mr. McDowall.

Mr. Brevard presented the Petition of James Kerr, which being read was referred to the Committee of Propositions and Grievances and sent to the Senate.

Mr. Chambers presented the Memorial of Henry Giles, which being read, was referred to the Committee appointed on the Petition of William Brandon and sent to the Senate.

Mr. Porter presented the Petition of sundry of the Inhabitants of Rutherford County, which being read, was referred to Mr. McDowall, Jun., Mr. Person, Mr. Mebane, Mr. Porter and Mr. Chambers, and sent to the Senate.

Mr. Spiller presented the Petition of Sundry of the Inhabitants of New Hanover County, praying, &c.; which being read, Mr. Spiller moved for leave and presented a Bill for adding part of New Hanover to Sampson County, which was read the first time and sent to the Senate.

Mr. Spiller presented the Petition of Joseph McDowall, James Spiller, William B. Grove, Caleb Phifer and John Hamilton, setting forth that John Gray and Thomas Blount had rec'd a considerable sum of Money to discharge the Martinique demand against this State, which they have not accounted for, and praying an investigation of the facts therein set forth.

Ordered that the said Petition be referred to the Committee of Privileges and Elections.

Resolved, That the Public Treasurer and Comptroller, and each of them be, and each of them is hereby directed as soon as possible to lay before this Assembly a list of all balances due to the Public from individuals, for the information of the Legislature.

Ordered that the following Message be sent to the Senate:

Mr. Speaker & Gentlemen:

We propose that the qualification of the Governor be postponed till Monday next, and that on Thursday next at 4 O'clock P. M., the two Houses shall proceed to ballot for two Senators to represent this State in the Congress of the United States. We also propose that a Committee be appointed from both Houses to prepare and introduce a Bill for ascertaining the manner, places and times of electing representatives of this State in the Congress of the United States. For this purpose we have, on our parts, appointed Mr. Rice, Mr. Rhea, Mr. McDowall, Mr. Stokes, Mr. Person, Mr. Davie, Mr. Hamilton of Edenton, Mr. Armstrong, Mr. Smith and Mr. Spiller. We nominate for Senators the Honorable Samuel Johnston, Esquire, Benjamin Hawkins, James White, Joseph McDowall, Timothy Bloodworth, Thomas Person, William Blount, the Honorable John Williams, William Lenoir, John Stokes, Richard Dobbs Spaight, William Polk, Esquires. We propose further that at the same time the two Houses proceed to ballot for the place at which the next Assembly shall be held, and approve of the nomination made by the Senate in their last Message on this Subject.

Mr. Joel Rice moved for leave and presented a Bill directing the sale of the Salt licks and Springs within the District of Mero; which was read the first time, passed and sent to the Senate.

Received from the Senate the Petition of the Inhabitants of Tyrrell County. Endorsed, read and referred to the Committee on the Petition for dividing Hawkins County; which being read, was referred as by the Senate and returned.

Received from the Senate the Memorial of John Sevier. Endorsed, read and referred to the Committee on Indian Affairs; which being read, was referred as by the Senate and returned.

Received from the Senate the Petition of Andrew Grier; the Petition of John Murphey; the Memorial of Major D. Moore; the Petition of John Elliott, and the Memorial of John Eaton. Severally endorsed, read and referred to the Committee of Propositions and Grievances; which being read, were referred as by the Senate and returned.

The Honorable the Speaker laid before the House the Memorial of Thomas Benbury, Collector of Port Roanoke; which being read,

was referred to the Committee on Finance and sent to the Senate.

Mr. Stokes moved for leave and presented a Bill directing the manner of issuing process in sundry cases arising in the Superior Courts of Law and Equity;

To direct the manner of proceeding on assigned or endorsed bills, bonds and notes under seal; to direct how joint obligations shall survive, and to repeal an Act calling forth the Militia to assist in executing civil process; which was read the first time, passed and sent to the Senate.

Received from the Senate the following Message:

Mr. Speaker & Gentlemen:

We propose that the Petition for the division of Surry, together with the plan of the said County herewith sent you, be referred to the Committee appointed on the Bill for dividing Hawkins County, and that they report their opinion as to the propriety of dividing the first mentioned County. We have added to the Committee Mr. Skinner and Mr. Overton.

Ordered that the following Message be sent to the Senate:

Mr. Speaker & Gentlemen:

We have received the Message of your House proposing that the Petition for dividing Surry County, &c., be referred to the Committee appointed on the Bill for dividing Hawkins County, with which we concur. We have added to this Committee Mr. Hamilton of Edenton.

The Bill to amend an Act intitled "an Act concerning proving Wills and granting letters of Administration, and to prevent frauds in the management of intestates estates," was read the second time, amended, passed and sent to the Senate.

Received from the Senate the following Message:

Mr. Speaker & Gentlemen:

We have appointed Mr. Brown and Mr. Lenoir, on the part of this House to wait on and inform the Honorable Samuel Johnston that the time appointed for his qualification as Governor is postponed till Monday next.

Ordered that the following Message be sent to the Senate:

Mr. Speaker & Gentlemen:

Mr. Ben. Smith and Mr. McDowall are appointed by this House

to wait on the Honorable Samuel Johnston and acquaint him of the postponement of the time for his qualification till Monday next.

Mr. Dickens presented the Memorial of Billy Hughs, which being read, was referred to the Committee of Propositions and Grievances and sent to the Senate.

Received from the Senate the following Message:

Mr. Speaker & Gentlemen:

We herewith send for your concurrence a resolution relative to the death of Mr. Ethelred Gray, late a Member of this House.

Ordered that the following Message be sent to the Senate:

Mr. Speaker & Gentlemen:

We concur with your resolution relative to attending the burial of Mr. Ethelred Gray, late a Member of your House.

Mr. Davie moved for leave and presented a Bill to alter the mode of trying Slaves accused of offences, the punishment of which shall extend to life or member; which was read the first time, passed and sent to the Senate.

Mr. Holland presented the Petition of James Miller, which being read, was referred to the Committee of Propositions and Grievances and sent to the Senate.

Ordered that the following Message be sent to the Senate:

Mr. Speaker & Gentlemen:

We propose that the Committee of Propositions and Grievances be directed, to-morrow Morning, to report their names to the Assembly, having first divided themselves into two distinct Committees, No. 1 & 2, to be confirmed by the two Houses. That the Committee No. 1 shall retain all papers already referred to them, and No. 2 to pass upon all papers that may be hereafter referred to them.

The Bill to repeal part of New Bern Town Law, was read the second time and rejected.

The Bill for laying off a Town on the Lands of John Marriner in Tyrrell County, was read the second time, passed and sent to the Senate.

Mr. Drew moved for leave and presented a Bill to establish a public Inspection of Tobacco in the Town of Clarksville in the County of Tennessee, which was read the first time, passed and sent to the Senate.

Mr. Thos. Blount presented the Petition of Charles Gerrard,

which being read, Mr. Blount moved for leave and presented a Bill to establish the lines of a certain Tract of Land, granted unto Charles Gerrard; which was read the first time, passed and sent to the Senate.

The Bill for pardoning John Bradley of the Town of Wilmington, was read the second time, passed and sent to the Senate.

Received from the Senate the Memorial of Charles Dukes. Endorsed, read and referred to the Committee of Propositions and Grievances; which being read, was referred as by the Senate and returned.

Received from the Senate the Petition of William Smith. Endorsed, read and referred to the Committee appointed on the Petition of Daniel Williams; which being read, was referred as by the Senate and returned.

Mr. John G. Blount moved for leave and presented a Bill to incorporate the tradesmen and manufacturers of the Towns of Edenton, New Bern, Wilmington & Halifax; which was read the first time, passed and sent to the Senate.

Received from the Senate a Bill to authorize and impower James Billingsly to execute a Deed or Deeds of Conveyance agreeable to a power of Attorney, and the last Will and Testament of William Rea, late of Guilford County, Deceased. Endorsed, read the first time and passed. This Bill was read for the first reading in this House, passed and returned to the Senate.

Ordered that the Bill to repeal part of an Act intitled "an Act once more to extend an Act entitled an Act to pardon and consign to oblivion the offences and misconduct of certain persons in the Counties of Washington, Greene, Sullivan and Hawkins," be Committed to a Committee of five Members of this House; that for this purpose Mr. Person, Mr. B. Smith, Mr. Rhea, Mr. Stokes and Mr. McDowall be a Committee, and that they report specially.

The Bill to impower the wardens of the Poor for the County of Franklin to build a House or Houses for the reception of the Poor, was read the first time, passed and sent to the Senate.

The Bill to invest an indefeasible right of inheritance in Charles Alley and Prudence Oggs, the surviving natural Children of the late John Oggs of the County of Pasquotank, of such property as was bequeathed to them and their deceased brother Jesse Oggs, was read the first time, passed and sent to the Senate.

The Bill to amend an Act intitled "an Act to make certain securi-

ties negotiable," was read the first time, passed and sent to the Senate.

The Bill to authorize the County Courts in this State to annually elect a certain number of Justices in each County to attend to the business thereof, and to constitute a quorum in each County, and to impeach and try all officers guilty of misdemeanors in office under their appointment, was read the first time, passed and sent to the Senate.

The Bill to alter the manner of fining and imprisoning offenders, was read the second time, amended, passed & sent to the Senate.

The Bill for adding Randolph County to Salisbury District, and Rockingham County to Hillsborough District, was read the first time, passed and sent to the Senate.

Mr. Ewing moved for leave and presented a Bill to Cede to the United States Certain Lands therein mentioned. Ordered that this Bill lie on the Table for consideration liable to the call of any Member.

Mr. Outlaw moved for leave and presented a Bill to cede to that part of the Citizens of this State who reside west of the Great Iron and Stone Mountains the territorial right thereof, and to erect the same into a separate and distinct State, &c., &c.

Ordered that this Bill lie on the Table for consideration, liable to the call of any Member.

Ordered that Mr. Aaron Hill have leave to absent himself from the service of this House.

Received from the Senate the Memorial of Nicholas Long. Endorsed, read and referred to the Committee on the Memorial of the Honbl. the Judges of the Superiar Courts. Also the Petition of Sarah Dupree. Endorsed, read and referred to the Committee of Claims; which being read, were referred as by the Senate and returned.

Received also two letters from Margaret McDowall. Endorsed, read and referred to the Committee on Indian affairs; which being read, were referred as by the Senate and returned.

Received from the Senate the following Messages, to-wit:

Mr. Speaker & Gentlemen:

We consent that the Petition of a number of the people living

South of the French Broad River be referred as by you proposed, and have added General Martin to the Committee on Indian Affairs.

Mr. Speaker & Gentlemen:

We agree that the General Assembly ballot on Tuesday next for the place at which the next Assembly shall be held, and two persons to represent this State as Senators in the Congress of the United States, and approve of your nominations. We also consent that a Committee be appointed to prepare and introduce a bill for ascertaining the manner, places and times of Electing representatives for this State in the Congress of the United States, and have appointed Mr. Skinner, Mr. Bloodworth, Mr. Blount, Mr. Dickson and Mr. Gallaway to act on the part of this House with the Gentlemen by you named for this purpose.

Mr. Speaker & Gentlemen:

We have added Mr. Hargett to the Committee for equalizing the Land Tax.

Mr. Speaker & Gentlemen:

We herewith send you the Petition of James Mulloy, which we have referred to the Committee appointed on the Petition of Captain Daniel Williams, and propose that the Committee be instructed to report what relief ought to be given the Petitioner, as well as all others holding like demand against this State.

Ordered that the following Message be sent to the Senate:

Mr. Speaker & Gentlemen:

We have received the Message of your House referring the Petition of James Mulloy to the Committee appointed on the Petition of Daniel Williams, and directing that Committee to report what relief ought to be granted to other persons holding demands of the like nature, with which be concur.

Received from the Senate the following Messages:

Mr. Speaker & Gentlemen:

We agree that the Bill for dividing Greene County shall be referred to the Committee appointed on the Petition and Bill for a division of Hawkins County, agreeable to your proposition.

Mr. Speaker & Gentlemen:

We have added Mr. Macon to the Committee appointed on the Bill and Petition for the division of Hawkins County.

Mr. Speaker & Gentlemen:

The Report of the Committee on the Memorial of Daniel Williams herewith sent you, we propose shall be Committed and that the Committee be directed to report the most eligible plan, in their opinion, for the relief of all circumstanced in like manner with Captain Williams.

Ordered that the following Message be sent to the Senate:

Mr. Speaker & Gentlemen:

We have received your Message proposing to commit the report on the Petition of Daniel Williams, &c., with which we concur.

Received from the Senate the Petition and Memorial of Erick Lalerstead and Peter Mallett. Endorsed, read and referred to the Committee on the Petition of Lewis McPherson; which being read, was referred as by the Senate and returned.

Ordered that the following Message be sent to the Senate:

Mr. Speaker & Gentlemen:

We have added Mr. Davie and Mr. McLaine to the Committee appointed on the Petition of Lewis McPherson. We propose that the Petition of Doctor Frederick Ramche (which at present is referred to the Committee on Public Bills) be referred to this Committee.

Resolved, That the Committee on Public Bills be discharged from taking notice of or reporting upon the Petition from Halifax County, praying that the 65th section of the Court Law be repealed.

Mr. Davie moved for leave and presented a Bill to repeal the Sixty-fifth Section of an Act passed at New Bern in the year 1777 intitled "an Act for establishing Courts of Law, and for regulating the proceedings therein;" which was read the first time, passed and sent to the Senate.

The Bill to repeal part of an Act passed at Tarborough entitled "an Act to enable the County Courts to appoint Commissioners to keep open rivers and creeks at their several falls so far as they think necessary for the passage of Fish up the same," was read the first time, passed and sent to the Senate.

Received from the Senate the representation of the Honorable the Judges of the Superior Courts. Endorsed, read and referred to Mr. Gallaway, Mr. Wynns and Mr. Brown on the part of the Senate."

Received from the Senate the following Bills. Endorsed, read the first time and passed, to-wit:

A Bill for cutting a navigable Canal from the Waters of Pasquotank River in this State, to the Waters of Elizabeth River in the State of Virginia;

A Bill to ratify the amendments to the Constitution of the United States;

A Bill to form part of the Militia of Rowan County into a Separate battalion.

Ordered that the bill to repeal the fifth Section of an Act intitled "an Act to regulate the Inspection of Tobacco in this State be read for the first reading in this House To-morrow.

Ordered that the following Bills be read for the second reading in this House To-morrow, to-wit.:

A Bill to amend an Act entitled "an Act for establishing Courts of Law and for regulating the proceeding therein;" and another Act intitled "an Act for giving an Equity Jurisdictian to the Superior Court;"

A Bill to regulate the practice of Physic and Surgery;

A Bill for defraying the expences of an expedition carryed on against the Cherokee Indians, &c.;

A Bill providing means for the payment of the domestick debt, for appropriating certain Monies therein mentioned, and to amend an Act passed at the last Session of the General Assembly entitled "an Act for levying a tax for the support of Government & for the redemption of old paper currency, Continental Money, specie & other Certificates;"

A Bill to establish an University in this State.

The House adourned until To-morrow Morning 9 O'clock.

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Wednesday, 25 November, 1789.

The House met according to Adjournment.

Mr. Bonds presented the Petition of Wilson Taylor, which being read, was referred to the Committee of Propositions & Grievances, No. 2, and sent to the Senate.

Mr. Stokes presented the Petition of John Crawford, which being read, was referred to the Committee of Propositions and Grievances, No. 2, and sent to the Senate.

Received from the Senate the resignation of John Ross, Edward Smithwick, Jesse Bump, Thomas Blount, James McNeill, William Seals and James Ford, as Justices of the Peace, and Stephen Andrews first Major of the Bladen Regiment of Militia; which being read, were accepted by this House and returned to the Senate.

Mr. Bostick presented the Petition of William Meredith; which being read, was referred to the Committee of Propositions and Grievances, No. 2, and sent to the Senate.

The Bill to regulate the practice of Physic and Surgery, was read the second time, amended, passed and sent to the Senate.

Received from the Senate the following Bills. Endorsed, read the first time and passed, to-wit.:

A Bill directing the sale of the Salt licks and Springs within the District of Mero;

A Bill to repeal the Sixty-fifth Section of an Act passed at New Bern in the year 1777, intitled "an Act for establishing Courts of Law, and for regulating the proceedings therein;"

A Bill directing the manner of issuing process in sundry cases arising in the Superior Courts of Law and Courts of Equity; to direct the manner of proceeding on assigned or indorsed bills, bonds & notes, &c.

Received also, a Bill for erecting and establishing a Town at Hawkins Court House. Endorsed, read the third time and passed.

The Honorable the Speaker laid before the House a letter from John Haywood, Esquire, public Treasurer, with a state of the Treasury, &c.; which being read, the following Message was ordered to be sent to the Senate:

Mr. Speaker & Gentlemen:

We herewith send you a letter from the Treasurer with the several papers therein referred to; all of which, excepting those relative to the recognizances of Brice and McNeill, we propose submitting to the consideration of the Committee on Finance.

The papers relative to Brice and McNeill we propose shall be Committeed to a joint Committee; for this purpose we have on our parts, appointed Mr. Davie, Mr. McDowall and Mr. Hamilton of Edenton.

Mr. Person presented the ePtition of Andrew Bass, which being read was referred to the Committee of Propositions and Grievances, No. 2, and sent to the Senate.

Received from His Excellency the Governor the following Messages:

To the Honorable the General Assembly:

Gentlemen:

In consequence of a Credit obtained by Royal Flint of the State of New York, Merchant, with the late Commissioners of the Treasuary of the United States, I have in conjunction with the Council of State, Contracted with him for the sale of all the Tobacco purchased for the use of the State, except about one hundred Hogsheads, which we had previously engaged to Mr. William Littlejohn of the Town of Edenton, Merchant. The particulars of these Contracts will appear at large on a reference to the Journals of the Council of State, and my letter book.

In pursuance of these several Contracts, Mr. Littlejohn has delivered into my hands a receipt from the Treasurer of the United States, for 3,400 Dollars, paid into the Treasury for the use of this State, and I have given Him an order on the Commissioner for purchasing Tobacco in the Town, for 113,333 lbs. of Tobacco purchased by him, to be delivered at Wilmington in good Shipping order, but not to be again inspected or weighed. Royal Flint has received in consequence of said contract 271,761 lbs. of Tobacco at Wilmington, 332,783 lbs. at Tarborough, and 283,584 lbs. at Dalgo on Roanoke River, making in the whole 888,128 lbs., for which he has accepted the two sets of Bills payable to the Secretary of the Treasury of the United States, the first set dated the 25 day of October last, for 18,136 30-90 Dollars, the other dated the 6 day of November, for 8,507 40-90 Dollars, two of each will be immediately forwarded to the Secretary of the Treasury, the third of each set, as also the Treasurer's receipt for 3,400 Dollars paid by Mr. Littlejohn, will be lodged with the Comptroller.

You will be pleased to observe that on a second inspection of the Tobacco purchased for the State a considerable quantity was found to be unmerchantable, particularly of that received from the Warehouses at Fayetteville and Tarborough; you will consider of the most eligible method of indemnifying the State for the loss sustained by this fraud.

From the information received from the Commissioner at Fayetteville, there will still remain at that place to be delivered, between one hundred and forty and one hundred and fifty Hogsheads, which

Mr. Flint is bound to receive at Wilmington, as soon as it can be sent down and reinspected.

SAM. JOHNSTON.

Fayetteville, 5 Novr., 1789.

To the Honorable the General Assembly:

Gentlemen:

I herewith send you two Letters from Doctor Williamson, one of the Commissioners appointed to settle the accounts of this State with the United States, with sundry papers which claim your attention and consideration.

SAM. JOHNSTON.

Fayetteville, 25 Novr., 1789.

Ordered that the following Message be sent to the Senate:

Mr. Speaker & Gentlemen:

We herewith send you a Message, this day received from His Excellency the Governor, respecting the Sales of Tobacco, and also another Message accompanied with several communications from the Commissioners appointed to settle the accounts of this State with the United States; all these papers we propose referring to the Committee of Finance, except the letter from Hugh Williamson, Esquire, respecting the procuring of Vouchers for the service of the Eighteen Months' Regiments, and of the Waggons furnished by this State for the use of the United States, which we wish to lie for consideration until a Bill now prepared on the subject of that letter be brought forward.

Mr. Stokes presented the acc't of receipts and expenditures of John Steele, Esquire, late Commissioner of Indian Affairs, &c. Ordered that the same be referred to the Committee on Indian Affairs.

The Bill for defraying the expence of an expedition carried against the Cherokee Indians, and other necessary expences accruing thereon, was read the second time and rejected.

It was moved by Mr. Porter, and seconded by Mr. Hamilton of Guilford, that the Bill to repeal the fifth Section of an Act intitled "an Act to regulate the Inspection of Tobacco in this State," be laid over till the next Assembly. This being objected to, the question was put and carried in the affirmative; whereupon the yeas and nays were called for by Mr. E. Jones & seconded by Mr. Hawkins, which are as follows, to-wit.:

Yeas—Messrs. W. Wood, May, Grice, Pugh, McKay, Jo. McDowall, D. Stewart, Cowan, Bell, J. Allen, W. B. Grove, Womack, J. Rice, Ewing, D. Rice, Dickens, Jo. Stewart, G. Hamilton, Gillispie, Outlaw, J. Moore, J. H. Bryan, T. King, M. Matthews, Barrott, Spicer, W. Williams, Phifer, S. Allen, McLaine, Mebane, A. Phillips, Bethell, Bostick, J. Scott, T. Johnston, Blair, Porter, Chambers, J. Brown, Lindley, Z. Wood, Spiller, Thompson, J. Baker, Lock, E. Williams, J. McDowall, Jun.—48.

Nays—Messrs. Tho. P. Williams, Duke, Sawyer, J. Hill, E. Phillips, Beck, Person, Alderson, Yancey, Creecey, B. Williams, R. Montgomery, J. Bryan, Qualls, J. White, J. Johnston, Bonds, Pride, Sneed, J. Stewart, Peete, Perry, W. Johnston, Sutton, Armstrong, Everagin, Reading, Drew, E. Jones, N. Brown, E. Hamilton, Guion, W. Hawkins, Barnes, Sanders, Holland, B. Jones, Ellison, T. Blount, Peters, Wallace, W. R. Davie, J. G. Blount—43.

The Chairman of the Committee of Propositions and Grievances reported the following division of that Committee, agreeable to the resolution of yesterday, to-wit:

No. 1.—Mr. W. Hawkins, Mr. Sanders, Mr. Dickens, Mr. T. Blount, Mr. Phifer, Mr. Hamilton, Mr. Rhea, Mr. Gowdy, Mr. McKinne, Mr. Spiller, Mr. Jones, Mr. Outlaw.

No. 2.—Mr. A. Bryan, Mr. Smith, Mr. Gillispie, Mr. Creecey, Mr. Nixon, Mr. McKay, Mr. Rice, Mr. Skinner, Mr. Moore, Mr. Holland, Mr. Guion, Mr. Wilson.

Resolved, That this House concur with the foregoing Report.

Ordered that the following Message be sent to the Senate:

Mr. Speaker & Gentlemen:

We propose that the Bill providing means for the payment of the domestick debts for appropriating certain Monies therein mentioned, &c., be referred to the Committee to report the mode most proper to be adopted for the extension of the Certificate debt, and that they be directed to report thereon at as early a Day as possible.

Received from the Senate the Memorial of Thomas Benbury, Esquire, Collector, &c. Endorsed, read and referred as by the House of Commons.

Received from the Senate the following Bills. Endorsed, read the first time and passed, to-wit.:

A Bill for appointing Commissioners in the County of Greene for building a Court House, &c.;

A Bill to establish a public Inspection of Tobacco in the Town of Clarksville, &c.;

A Bill to amend an Act intitled "an Act to make certain Securities negotiable."

Received also a Bill to amend an Act entitled "an Act directing the mode of proceeding against the real estate of deceased debtors, where the personalty is insufficient," &c., and

A Bill to amend an Act intitled "an Act concerning proving of Wills and granting letters of Administration," &c. Endorsed, read the second time and passed.

The Bill to establish an University in this State, was read the second time, amended, passed and sent to the Senate.

Mr. Davie moved for leave and presented a Bill for procuring Testimony concerning the accounts of this State and the United States, which was read the first time, passed and sent to the Senate.

Received from the Senate the following Bills. Endorsed, read the first time and passed.

A Bill granting to the Inhabitants of Tyrrell County a privilege of Holding Separate elections for Members of Assembly;

A Bill to incorporate the Tradesmen and Manufacturers of the Towns of Edenton, New Bern, &c.;

A Bill to establish the lines of a certain tract of Land, Granted unto Charles Gerrard.

Received from the Senate the following Message:

Mr. Speaker & Gentlemen:

We agree with the reference by you made of the Message from His Excellency the Governor, of to-day; also that the letters from Hugh Williams, Esquire, lie on the Table for the reading by you mentioned.

Received from the Senate the Petition of William Meredith; the Petition of Andrew Bass; the account of John Steele, Esquire; the Petition of James Kerr. Severally endorsed, in Senate, read and referred as by the House of Commons.

Received from the Senate the following Message:

Mr. Speaker & Gentlemen:

We agree that the number of Members now on the Committee of

Propositions and Grievances be made known to the General Assembly to-morrow morning, and that a division of them take place; we also agree that No. 1, of this Committee report on all the papers now before them, and that all hereafter referred be reported on by No. 2.

Received from the Senate the following Message:

Mr. Speaker & Gentlemen:

The letter from the Treasurer and the papers accompanying it we agree shall stand referred as by you proposed, and have appointed Mr. Blount & Mr. Skinner, to act with the Gentlemen by you named, to report on the papers relative to Brice and McNeil.

Ordered that the following Bills be read for the second time to-morrow, to-wit:

A Bill to extend the Civil and Military authority of this State to the Inhabitants South of French Broad & Holston Rivers;

A Bill for impowering the several County Courts within this State to appoint patrols and directing their duty in office;

A Bill to establish the lines of a certain Tract of Land granted unto Charles Gerrard;

A Bill to ratify the amendments to the Constitution of the United States;

A Bill to enable creditors more easily to recover their debts from joint partners upon joint notes.

Ordered that the Bill to erect a light House on Ocracoke Island be read to-morrow for the third time.

Ordered that the following Message be sent to the Senate:

Mr. Speaker & Gentlemen:

This House, at the particular request of Mr. Stokes and Mr. Jos. McDowall, have withdrawn their names from the nomination of Senators in the Congress of the United States.

Ordered that Mr. William Johnston have leave to absent himself from the service of this House.

The House adjourned till To-morrow Morning 9 O'clock.

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Thursday, 26 November, 1789.

The House met according to Adjournment.

Received from the Senate a resolution of that house for admit-

ting no bill of a private nature after Saturday next, which being read was concurred with and returned.

Mr. Outlaw moved for leave and presented a Bill to impower the County Treasurer and Collectors in the several Counties in the District of Washington to receive from any person or persons in payment of their public taxes, any accounts which shall appear by the Militia Law to be Just and true for services done in defence of said District against the Indians, to pay off other expences incurred thereby; which was read the first time, passed and sent to the Senate.

Mr. Mebane presented the Petition of Timothy Riggs, which being read, was referred to the Committee on the Petition of William Brandon and sent to the Senate.

Mr. Cowan presented the Petition of Robert Raiford, which being read, was referred to the Committee of Propositions and Grievances and sent to the Senate.

Mr. John Bryan moved for leave and presented a Bill to revive and continue in force, so far as respects the County of Johnston, an Act passed in the year 1786 intitled "an Act impowering the several County Courts therein mentioned to lay a Tax;" which was read the first time, passed and sent to the Senate.

Mr. Mebane presented the resignation of James Freeland of his office as a Justice of the Peace for Orange County; which being read, was accepted by this House & sent to the Senate.

Mr. King presented the resignation of Benjamin Murrell of his Commission as Justice of the Peace for Hawkins County, which being read, was accepted by this House and sent to the Senate.

Received from the Senate the following Messages, to-wit.:

Mr. Speaker & Gentlemen:

We agree that the Petition of Doctor F. Ramche be reported on by the Committee appointed on the Petition of Lewis McPherson, as by you proposed.

Mr. Speaker & Gentlemen:

We agree that the Bill providing means for the payment of the domestick debt shall be referred to the Committee to report the mode most proper to be adopted for the extinction of the Certificate debt, and that they report at as early a day as possible.

Mr. Speaker & Gentlemen:

We propose that a joint Committee be appointed to report on the

utility of the bill for processioning Lands herewith sent you, and if thought necessary to prepare and introduce a Bill for this purpose, Mr. Hargett, Mr. Graham & Mr. Lenoir will, on the part of this House, act with such Gentlemen as you may appoint. We also propose that this Bill and the Petition for adding part of Bladen to Cumberland, be reported on by the Committee appointed on the bill for dividing Hawkins County.

Mr. Speaker & Gentlemen:

We have appointed Mr. Hargit, Mr. Bloodworth and Mr. Willis, on the part of this House, who will act with such Gentlemen as you may make choice of for the purpose of amending the bill herewith sent you, to authorize the County Courts in this State annually to elect a certain number of Justices in each county to attend the business thereof, &c.; provided, it should be their opinion such bill is necessary.

Ordered that the following Message be sent to the Senate:

Mr. Speaker & Gentlemen:

We agree that the Bill to authorize the County Courts within this State annually, to elect a certain number of Justices in each County to attend the business thereof, be committed as by you proposed. We have, on our parts, appointed Mr. McDowall, Jun., Mr. P. Hawkins, Mr. Davie, Mr. Jones, of Wilmington, and Mr. Hamilton of Edenton. We also agree that the Bill for procesioning land be committed as by you proposed, and have appointed on our parts, Mr. Mebane, Mr. Person, Mr. Lindley and Mr. J. Bryan.

Mr. McLaine moved for leave and presented a Bill to erect a public provision Store in the County of ———— for the accommodation of the Cumberland Guard, which was read the first time, passed and sent to the Senate.

The Petition of James Spiller, Esquire, was read and referred to the Committee of Propositions and Grievances, and sent to the Senate.

Mr. Pride moved for leave and presented a Bill for equalizing the Land tax and ascertaining the several subjects of taxation; which was read the first time, passed and sent to the Senate.

Mr. Grove moved for leave and presented a Bill to repeal part of the 20th Clause of an Act passed at Hillsborough in the year 1784, intitled "an Act to prevent the exportation of unmerchantable com-

modities;" which was read the first time, passed and sent to the Senate.

The Bill to vest certain Lands therein mentioned in the monthly meeting of the People called Quakers, of New Garden, in Guilford County, was read the second time; amended, passed and sent to the Senate.

Whereas, the Printer to this State hath been heretofore enjoined to send the Acts and Journals of the Assembly for the District of Mero to the Clerk of the Superior Court of Morgan District, by which means the Courts of Mero never have received them, the said District of Morgan being entirely out of the most public Road to the settlements on Cumberland;

Resolved, That the printers to the State shall hereafter send the Acts and Journals of this Assembly, together with the Journal of the Convention for the District of Mero, to the Moravian Store in the Town of Salem, and shall procure from the said storekeeper a recepits for the same.

Mr. W. Hawkins, from the Committee of Propositions and Grievances, delivered in the following Report:

The Committee to whom the Memorial of John Williams, one of the Commissioners heretofore appointed to extend the Boundary line between this State and the State of Virginia was referred, praying an allowance to be made him as Commissioner, aforesaid, Report,

That it is the opinion of the Committee he be allowed the sum of one hundred and thirty-six Pounds for the service aforesaid, being employed therein one hundred and thirty-six days; and that the Treasurer be, and he is hereby directed, to pay him accordingly; which is submitted.

WYATT HAWKINS, Chm.

The foregoing report being read, was Concurred with and sent to the Senate.

Mr. Spiller, from the Committee to whom was referred the Petition of Jeremiah and Robert Field, delivered in the following Report:

The Committee are of opinion that the deed of Gift made by William Field and Lydia, his wife, to the said Jeremiah and Robert in the year 1776, and previous to any Confiscation Law having passed

in this State, is good and vallid, and think it is just that an Act of the General Assembly pass to confirm the right of the said Jeremiah and Robert Field, which they submit to the House.

JAS. SPILLER, Chn.

The House taking this report into Consideration, Concurred therewith; whereupon.

Mr. Spiller moved for leave and presented a Bill to invest in Jeremiah and Robert Field an indefeasible right to such property as was granted to them by their Father in the year 1776; which was read the first time, passed and sent to the Senate.

The Bill to establish the lines of a certain Tract of Land, Granted unto Charles Gerrard, was read the second time, passed and sent to the Senate.

The Bill for cutting a Navigable Canal from the Waters of Pasquotank River in this State, to the Waters of Elizabeth River in the State of Virginia, was read the first time, passed and sent to the Senate.

Received from the Senate the following Message:

Mr. Speaker & Gentlemen:

We have added Mr. Hill to the Committee of Propositions and Grievances, and Mr. McDowall to the Committee on Indian Affairs.

The Bill to Cede to the United States certain Lands therein mentioned, was read the first time, passed and sent to the Senate.

Received from the Senate the report of the Committee of Propositions and Grievances on the division of the said Committee, No. 1, & No. 2, Concurred with.

Mr. Hawkins, from the Committee of Propositions and Grievances delivered in the following report:

The Committee to whom the Memorial of John Whitaker, late Sheriff of Halifax County, was referred, Report,

That whilst the said Whitaker was Sheriff as aforesaid, he received into his custody a certain man Phillips, committed to the Jail of Halifax District by a sentence of the Court of Oyer and Terminer at Warrenton; who, after twelve months imprisonment, was pardoned by the Governor. That whilst the said Phillips was under confinement, the said Whitaker as Sheriff aforesaid, incurred a debt of Nineteeen pounds fifteen Shillings & eight pence for his support

and maintenance, which he hath actually paid in Money, as appears by the acco't and affidavit therewith presented.

The Committee are therefore of opinion, especially as the said Phillips was insolvent, that the Treasurer be directed to pay the aforesaid Sum of Nineteen Pounds fifteen Shillings and eight pence to the said Whitaker and be allowed for the same in the settlement of his accounts.

All which is submitted.

WYATT HAWKINS, Chn.

The House taking this report into Consideration, Concurred therewith.

Mr. Person moved for leave and presented a Bill for amending the Act for opening the Land office for the redemption of Specie and other Certificates, and discharging the arrears due to the Army; which was read the first time, passed and sent to the Senate.

The Bill to Cede to that part of the Citizens of this State, who reside West of the Great Iron and Stone Mountains the territorial right thereof, and to erect the same into a separate and distinct State, to open a Land office to dispose of the unappropriated lands within the said Territory, thereby to sink the Specie Certificates issued by this State and to redeem the present paper Money now in circulation, and other purposes therein mentioned, was read the first time, passed and sent to the Senate.

Mr. Wood moved for leave and presented a Bill to amend the several Acts of Assembly within this State for regulating weights and measures; which was read the first time and rejected.

Ordered that the following Message be sent to the Senate:

Mr. Speaker & Gentlemen:

We propose that the Bill herewith sent you to extend the Civil and Military authority of this State to the Inhabitants South of the French Broad & Holston Rivers be referred to the Committee on Indian Affairs.

Mr. Grove presented the Petition of Peter Munroe, which being read was referred to the Committee of Propositions and Grievances and sent to the Senate.

Mr. Hamilton moved for leave to withdraw for amendment "the Bill to ratify the amendments to the Constitution of the United States." Ordered that he have leave accordingly.

Received from the Senate the Report of the Committee on the Memorial of John Williams, Concurred with by that House.

Received also the resolution of this House directing the Printer to lodge the laws and Journals of the General Assembly for Mero District at Salem, concurred with.

Mr. Hawkins, from the Committee of Propositions and Grievances, delivered in the following Report:

The Committee to whom the Petition of James Fletcher was referred, Report:

That the said Fletcher recovered in the County Court of Montgomery a Judgment for one hundred and Ten pounds one Shilling and eight pence against Henry Eustace McCulloch as appears by a transcript of the records of said Court herewith presented.

That in consequence of the sale of all the property of said McCulloch by the Commissioner of Salisbury District, the judgment remains unsatisfied. The Committee are therefore of opinion and recommend that the Treasurer be directed to pay the said James Fletcher the aforesaid Sum of one hundred & Ten Pounds one Shilling and Eight pence, for which he shall be allowed in the settlement of his accounts, which is submitted.

WYATT HAWKINS, Chn.

The House taking this report into consideration concurred therewith.

Mr. Hawkins, from the Committee, delivered in the following Report: The Committee to whom the Petition of Thomas Withers was referred, Report,

That the said Withers contracted with the Commissioners of the Cape Fear Navigation to deliver at Bald Head two hundred Thousand Bricks at three pounds per thousand, for the purpose of erecting a light house. That in performing the said Contract the said Withers sustained a considerable loss, owing to the stranding of some Vessels, sickness and other fortuitous circumstances. That by a Certificate of the said Commissioners herewith presented, it appears to be their opinion the said Withers should have a further time for the brick so delivered.

The Committee therefore are of opinion and unanimously recommend, that they be directed to make a further allowance to the said Thomas Withers, not exceeeding four pounds fifteen Shillings per

thousand, the average price of bricks since purchased by them for the completion of said light house. All which is submitted.

WYATT HAWKINS, Chn.

The House taking this report into consideration, Concurred therewith.

The Bill to erect a light house on Ocracoke Island, was read the third time, amended, passed and sent to the Senate.

The Bill to enable creditors the more easily to recover their debts from joint partners, and upon joint notes, was read the second time, passed and sent to the Senate.

Ordered that the following Message be sent to the Senate:

Mr. Speaker & Gentlemen:

We have appointed Mr. Jordan Hill, and Mr. Hamilton of Guilford, to superintend the balloting this evening for Senators, &c. This house have withdrawn the names of R. D. Spaight and James White, Esquires, from the nomination of Senators. We propose that the Treasurer be ballotted for at the same time that the Senators, &c., are ballotted for, and have nominated for that office John Haywood, Esquire.

The Bill for pardoning John Bradley of the Town of Wilmington, was read the third time, passed and sent to the Senate.

Ordered that the following Message be sent to the Senate:

Mr. Speaker & Gentlemen:

We have appointed Mr. Davie, Mr. Locke, Mr. Scott, Mr. Person, and Mr. Rice, to act with such Gentlemen as you may appoint, to enquire and report to this Assembly the application of the Money drawn for the purpose of erecting a station for the reception of the guard and accommodation of Persons travelling to the Cumberland settlements, in pursuance of a resolution or act of the last Assembly.

Resolved, That the Treasurer be desired not to pay the warrants granted by the Governor to Colo. Outlaw, Nos. 82, 83 and 84, until the matter be investigated by the Committee.

The House adourned till 4 O'clock, P. M.

Met according to Adjournment.

Received from the Senate the Memorial of William Houston. Endorsed, read & referred to the Committee of Propositions and

Grievances; which being read, was referred to the Senate and returned.

Received from the Senate the following Message:

Mr. Speaker & Gentlemen:

We have appointed Mr. Hargett and Mr. Graham to superintend the balloting and are now ready to enter on that business. We also propose, as has been usual, that the Superintendents wait on the sick Members in order to receive their votes.

Ordered that the following Message be sent to the Senate:

Mr. Speaker & Gentlemen:

We agree that the Superintendents wait on the sick Members as by you proposed.

Received from the Senate the Petition of Jane Sheppard. Endorsed, read & referred to the Committee of Propositions and Grievances; which being read, was referred as by the Senate and returned.

Received also the Petition of Neil Ray, and the Petition of John Arnold. Endorsed, read & referred to the Committee of Claims; which being read, were referred as by the Senate and returned.

Received from the Senate the Petition of John Estes. Endorsed, read and referred to Mr. Nesbitt, Mr. Gowdy and Mr. Hargett; which being read, was referred on the part of this House, to Mr. McDowall, Mr. Phifer, Mr. Mebane, Mr. J. Baker & Mr. Womack & returned.

Received from the Senate the following Message:

Mr. Speaker & Gentlemen:

We consent that a Treasurer be now balloted for. We have added Mr. Hill to the Committee of Propositions and Grievances, and Mr. McDowall to the Committee on Indian Affairs.

Mr. Hawkins, from the Committee of Propositions and Grievances, delivered in the following Report:

The Committee to whom the Petition of James Bonner, Executor of the last will and Testament of John Bonner, deceased, was referred, Report,

That the said dec'd, John Bonner, in his life time was agent or factor at Martinborough for Messrs. Stanleys and Co., Merchants in New Bern. That during such factorship, a certain Abraham Hardee impressed for the use of the State six Tierces of Taffia Rum,

making two hundred and nine gallons, the property of said Merchants, then in possession of said Bonner and gave a certificate for the same, for the use and benefit of said Merchants, that the certificates were enclosed and forwarded in a Letter by the said Bonner to the said Stanley & Co., but by some accident was lost, in consequence of which a suit hath been instituted against the Executor aforesaid, and a recovery likely to be had in money for the sum of impressed.

The Committee therefore are of opinion that the Comptroller be directed to issue a certificate (if on examining the cheques in his possession it does not appear a Certificate hath already been issued) for the said rum at the rates established by Law, and to be of equal value of Specie audited Certificates. Which is submitted.

WYATT HAWKINS, Chn.

The House taking this report into Consideration, Concurred therewith.

Received from the Senate the Petition of sundry officers, late of the Continental line. Endorsed, read and referred to Mr. T. Brown and Mr. McDowall; which being read, was referred on the part of this House, to Mr. B. Smith, Mr. Spiller, Mr. Dickens and Mr. Brevard, and returned to the Senate.

Received from the Senate the Petition of James Spiller, and the Petition of Timothy Riggs. Endorsed, read and referred as by the House of Commons. The Memorial of Thomas Evans. Endorsed, read and referred on the part of the Senate, to Mr. Brown, Mr. Lenoir, Mr. McDowall and Mr. Martin; which being read, was referred to Mr. Ewing, Mr. McNaine, Mr. Dickens, Mr. J. Rice & Mr. Person, and returned to the Senate.

Mr. Hawkins, from the Committee of Propositions and Grievances, delivered in the following Report:

The Committee to whom the Memorial of Humphrey Hardy, and the Petition of James McMasters and John Whitly was referred, Report:

That on examining the said Memorial and Petitions they observe the several grievances therein charged are not supported by proper vouchers or satisfactory testimony; they therefore recommend that they be rejected. Which is submitted.

WYATT HAWKINS, Chn.

The House taking this report into consideration, concurred therewith.

Received from the Senate the Petition of the Inhabitants of Rutherford. Endorsed, read and referred on the part of the Senate, to Mr. McDowall, Mr. Carter and Mr. Wynns.

Received from the Senate the resolution of this House directing the Treasurer to withhold payment of three warrants granted to Colo. Outlaw, Concurred with.

Received from the Senate the following Message:

Mr. Speaker & Gentlemen:

We agree that the Bills for extending the Civil and Military authority of this State to the Inhabitants South of French Broad and Holston Rivers be referred as by you proposed.

Received from the Senate the Memorial of John Cade and Sampson Bridgers. Endorsed, read and referred to the Committee of Propositions and Grievances, No. 2; which being read, was referred as by the Senaate and returned.

Received from the Senate a resolution of that House to impower the Surveyor of the County of Robeson to apply for the Warrants and Survey the Lands in said County, that was entered in the entry office of the County of Bladen when it was undivided; which being read, was Concurred with and returned.

Received from the Senate the following Bills, to-wit.:

A Bill procuring testimony concerning the accots of this State, &c.;

A Bill directing the mode of choosing Senators to represent this State, &c.;

A Bill to amend an Act intitled "an Act for directing the method of appointing Jurors in all cases;"

A Bill to erect a public provision store in the County of ———— for the accommodation of the Cumberland Guard, &c.;

A Bill to invest an indefeasible right of inheritance in Charles Alley and Prudence Oggs, &c.;

A Bill for adding Randolph County to Salisbury District, &c.;

A Bill to authorize and impower James Billingley to execute a deed or deeds of Conveyance agreeable to a power of Attorney, &c.;

A Bill to revive and continue in force, so far as respects the County of Johnston, an Act passed in the year 1786, intitled "an Act impowering the several County Courts therein mentioned to lay a tax," &c.;

A Bill to vest certain Lands therein mentioned in the monthly meeting of the people called Quakers, in New Garden, in Guilford County;

A Bill to invest in Jeremiah and Robert Field an indefeasible right to certain property, &c.;

A Bill to repeal so much of an Act passed at Tarboro intitled "an Act to regulate the inspection of Tobacco," as alludes to Classing the same;

A Bill for amending the Act for opening the Land office; &c.;

A Bill to repeal part of the 20th clause of an Act passed at Hillsborough, 1784, intitled "an Act to prevent the exportation of unmerchantable commodities;"

A Bill to Cede to the United States certain Lands therein mentioned.

The Bill to repeal part of an Act Intitled "an Act to explain an Act directing the duty of Naval Officers and all masters of Vessels coming into the Ports and Inlets of this State, was ordered to be read the second time to-morrow.

Ordered that the Bill to amend an Act intitled "an Act concerning proving of Wills and granting letters of administration and to prevent frauds in the management of intestates estates," be read for the third time to-morrow; also that the Bill to amend an Act intitled "an Act directing the mode of proceeding against the real estate of deceased debtors, where the personal estate is insufficient for the payment of the debts," be read for the third reading tomorrow; also ordered that the Bill to establish an University in this State, be read for the second time to-morrow.

Ordered that the Bill directing the manner of opening process in sundry cases arising in the Superior Courts of Law and Courts of Equity, to direct the manner of proceeding on assigned or endorsed Bills, bonds and notes under seal, to direct how joint obligations shall survive and to repeal an Act for calling forth the Militia to assist in executing civil process, be read for the second time to-morrow.

Received from the Senate a Bill to establish the lines of a certain Tract of Land granted unto Charles Gerrard. Endorsed, read the second time and passed. This bill was read the third time in this House and returned to the Senate.

The House adjourned till To-morrow Morning 10 O'clock.

FRIDAY, 27 November, 1789.

The House met according to Adjournment.

Mr. Hamilton, from the joint balloting for two Senators to represent this State in the Congress of the United States, a public Treasurer for this State, and the place at which the next General Assembly shall be held, Reported,

That the Honorable Samuel Johnston, Esquire, was elected a Senator & John Haywood, Esquire, public Treasurer.

That there was yet one person to be elected as a Senator, and that no one place in nomination for holding the next Assembly at, had a Majority of votes.

The House taking this Report into consideration, concurred therewith.

Mr. Stokes moved for leave and presented a Bill to amend and enlarge an Act passed at Hillsboro in April, 1784, intitled "an Act to enable Mary Doud to sue for and recover to her own use, and the use of her Children by Conner Doud, all debts due and owing to the said Conner, and all other things in action which the said Conner Doud might lawfully sue for and recover were he a Citizen of this State, and intitled to the benefits of its laws.

The Bill to impower the wardens of the poor for the County of Currituck to lay a tax to enable them to settle the arrears due from said County to Persons who have supported the poor, was read the second time, passed and sent to the Senate.

Mr. Davie moved for leave to withdraw for amendment, the bill to emancipate certain Negroes therein mentioned. Ordered that he have leave accordingly.

Mr. Mebane moved for leave and presented a Bill to alter the times of holding the annual Assemblies, which was read the first time, passed and sent to the Senate.

Mr. Hamilton presented the Petition of sundry of the Inhabitants of Guilford County, which being read, was referred to the Committee appointed on the Bill for processioning Lands and sent to the Senate.

Mr. Rhea moved for leave and presented a Bill for erecting a Town on the Lands of Fergus Stone; and to amend an Act for the division of Rowan County, which was read the first time, passed and sent to the Senate.

Mr. Mebane presented the Petition of Henry E. Lutterloch, which being read, was referred to the Committee on Finance and sent to the Senate.

Mr. John B. Blount presented the Petition of William Brown, Esquire, of Bath Town, which being read, Mr. Blount then moved for leave and presented a Bill to enable William to use and shew forth in evidence the deposition of a certain William Ferguson, now deceased, to prove the consanguinity of the said William Brown with Thos. Brown late of the Town of Wilmington, now deceased.

Mr. Matthews moved for leave and presented a Bill to discharge the expences of an expedition against the Indians, which was read the first time, passed and sent to the Senate.

Mr. Hamilton moved for leave and presented a Bill to amend an Act entitled "an Act for the better regulation of the Town of Edenton, which was read the first time, passed and sent to the Senate.

Received from the Senate the following Message:

Mr. Speaker & Gentlemen:

We have appointed Colo. Brown and Colo. Lenoir, who, with such Gentlemen as you may make choice of, will wait on the Honorable Samuel Johnston, Esquire, and acquaint him of his election as Senator from this State to the Congress of the United States.

Ordered that the following Message be sent to the Senate:

Mr. Speaker & Gentlemen:

We have on our parts appointed Mr. Stokes and Mr. Graves to attend the Honorable Samuel Johnston, Esquire, and acquaint him with his election to the office of Senator, to represent this State in the Congress of the United States.

Mr. Wood moved for leave and presented a Bill directing returns to be made of the Taxable property in the middle District of Anson County for the year 1788, which was read the first time, passed and sent to the Senate.

Resolved, That all public Bills shall be considered as first in the order of the day of each day, and that this House will regularly proceed on them accordingly.

Resolved, That the several Committees to whom business of a public nature is referred be directed to make report on such business as soon as possible.

The Bill for procuring Testimony concerning the accounts of

this State and the United States, was read the Second time, amended, passed, and sent to the Senate.

Mr. Guion presented the Petition of Peter Franklin, which being read, Mr. Guion moved for leave and presented a Bill to ascertain the true courses of a tract of Land granted to Edward Howcutt and now the property of Peter Franklin of Craven County.

Ordered that the following Message be sent to the Senate:

Mr. Speaker & Gentlemen:

We herewith send you the Petition of Peter Franklin together with a Bill to answer the prayer of his Petition, which we propose shall be Committed to the Gentlemen appointed to consider of the Petition of Greenbury Sutton. We have added Mr. Nixon to this Committee.

The Bill to amend an Act intitled "an Act concerning proving of Wills and granting letters of Administration, and to prevent frauds in the management of intestates estates," was read the third time, amended, passed and sent to the Senate.

Received from His Excellency the Governor, the following Message:

To the Honorable the General Assembly:

Gentlemen:

In consequence of my appointment to represent the Legislature of this State in the Senate of the United States, it becomes necessary that I should resign the appointment of first Magistrate for the ensuing year, which the Assembly did me the honor to confer on me early in the present Session. I do therefore most cheerfully, and with the utmost gratitude for the high confidence placed in me by the Legislature decline the honor of serving the State as their Chief Magistrate for the ensuing year and considering it my duty on all occasions to submit to the voice of my Country, do accept the appointment to a seat in the Senate of the United States.

Should my exertions in the execution of that important trust merit in any degree the approbation of my Fellow Citizens, it will be an ample recompense for the sacrifices in my Domestic concerns, which I must necessarily make on this occasion.

SAM. JOHNSTON.

Fayetteville, 27 Novemr., 1789.

Ordered that the following Message be sent to the Senate:

Mr. Speaker & Gentlemen:

We agree that the Petition of Peter Franklin stand referred as by you proposed.

Mr. Speaker & Gentlemen:

Mr. Gregory, Mr. Skinner, Mr. Carter and Mr. Brown will, on the part of this House, act with the Gentlemen by you named for the purpose of enquiring into and reporting on the application of the Money drawn for the accommodation of the Cumberland Guard, &c.

Received from the Senate a Bill to alter the times of holding the annual Assemblies of this State; and

A Bill directing returns to be made of the Taxable property in the middle District of Anson County for the year 1788. Endorsed, read the first time and passed.

Received also a Bill to impower the wardens of the poor for the Counties of Franklin & Surry to build a House or Houses for the reception of the poor; and

A Bill for dividing the County of Surry into two distinct Counties, and for other purposes. Endorsed, read the second time and passed.

The Bill granting the Inhabitants of Tyrrell County the privilege of holding separate elections for Members of Assembly, was read the first time, passed and sent to the Senate.

The Bill directing the manner of issuing process in sundry cases arising in the Superior Courts of law and Courts of equity; To direct the manner of proceeding in assigned or indorsed bills, bonds and notes under seal; To direct how joint obligations shall survive; and to repeal an Act calling forth the Militia to assist in executing Civil process, was read the second time, passed and sent to the Senate.

Received from the Senate the resolutions of this House directing the Committee to report, &c., Concurred with.

Mr. Davie moved for leave and presented a Bill directing the mode of proceeding in Writs of Mandamus, which was read the first time, passed and sent to the Senate.

Received from the Senate the following Messages:

Mr. Speaker & Gentlemen:

We propose adjourning till To-morrow 4 O'clock P. M., in order that the Committees may report on the business before them.

Mr. Speaker & Gentlemen:

The Honorable Samuel Johnston having signified his acceptance of the appointment of Senator from this State to the Congress of the United States, we propose that a Governor of this State be made choice of To-morrow evening at 4 O'clock, and nominate the Honorable John Williams, Alexander Martin and Charles Johnson, Esquires. We also propose that one person to represent this State as Senator in the Congress of the United States and the place at which the next General Assembly shall be held, be balloted for at the same time, and nominate for Senator, William Lenoir, William Blount and Benjamin Hawkins, Esquires; for the place at which the next Assembly will set, the Towns of Tarborough, Fayetteville, New Bern and Nashville.

Ordered that the following Message be sent to the Senate:

Mr. Speaker & Gentlemen:

We cannot concur with your Message proposing to ballot to-morrow evening for a Governor, Senator, and the place of holding the next Assembly, but propose that business be done on Wednesday evening at 4 O'clock. We propose also that the two Houses adjourn till Monday Morning next to make way for the Committees entering on the business referred to them.

Mr. Person moved for leave and presented a Bill for establishing a Town at a place called Oxford on the Lands of ———————— which was read the first time, passed and sent to the Senate.

Received from the Senate the Petition of John Crawford; The Petition of Peter Munroe; the Petition of Robert Rayford; the Petition of John Walker; the Petition of Wilson Taylor; the Memorial of Henry Giles; the Petition of James Miller, and the Petition of sundry of the Inhabitants of Guilford County. Severally endorsed, read and referred as by the House of Commons.

Received from the Senate the following Messages:

Mr. Speaker & Gentlemen:

We have added the name of Timothy Bloodworth to the nomination of Senators.

Mr. Speaker & Gentlemen:

We propose that the bill to discharge the expenses of an expedition against the Indians, and the Bill to impower the County Treasurer and Collectors in the several Counties in the district of Wash-

ington to receive from any person or persons in payment of their public Taxes any accots., &c., be submitted to the Committee appointed to report on the warrants laid before the Assembly by Mr. Outlaw.

Ordered that the following Message be sent to the Senate:

Mr. Speaker & Gentlemen:

We agree that the Bill to discharge the expences of an expedition against the Indians and the bill to impower the County Treasurer and Collectors in the several Counties in Washington District to receive in payment of Taxes, Accots., &c., be referred to the Committee appointed to report on the warrants granted to Colo. Outlaw, as by you proposed.

Received from the Senate the following reports of the Committee of Propositions and Grievances, concurred with by that House, to-wit.:

On the Petition of James Bonner;

On the Petition of Thomas Withers;

On the Petition of James Fletcher;

On the Petitions of James McMasters and John Whitley.

Received from the Senate a Bill for erecting a Town on the Lands of Fergus Stone, &c.; and a bill to amend an Act intitled "an Act for the regulation of the Town of Edenton." Endorsed, read the first time & passed.

Received also a Bill for procuring Testimony concerning the accounts of this State, &c.; and a Bill to impower the wardens of the poor for the County of Currituck to lay a Tax to enable them to settle the arrears due from said County, &c. Endorsed, read the second time and passed.

Ordered that the Bill for dividing the County of Surry into two Distinct Counties, and for other purposes, be read for the second time to-morrow; also that the Bill for amending the Act for opening the Land office, and for the redemption of Specie and other Certificates, and discharging the arrears due to the Army, be read for the second time to-morrow.

Ordered that the Bill to amend the Act intitled "an Act directing the mode of proceeding against the real estate of deceased debtors, where the personal estate is insufficient for the payment of debts," and the Bill to prevent the exportation of raw Hides of neat Cattle,

Calf Skins, Beaver, Rackoon and Fox furs, be read for the third time to-morrow.

The House adjourned till Monday Morning 10 O'clock.

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MONDAY, 30 November, 1789.

The House met according to Adjournment.

Mr. Wilson moved for leave and presented a Bill to amend an Act for establishing a Militia in this State, which was read the first time, passed and sent to the Senate.

Mr. Bonds presented the Petition of John Row, which being read, was referred to the Committee of Propositions and Grievances, No. 2, and sent to the Senate.

Mr. Wilson moved for leave and presented a Bill for the relief of such persons as may be wounded by the Indians within the district of Mero, and for other purposes; which was read the first time, passed and sent to the Senate.

Mr. Stokes moved for leave and presented a Bill for the relief of persons who, before the commencement of the late war, purchased Lands from Henry Eustace McCulloch, and have never obtained titles to the same.

Mr. Hawkins, from the Committee of Propositions and Grievances, delivered in the following Report:

The Committee to whom the Memorial of Cosimo Medici was referred, Report,

That the said Medici may be permitted to withdraw the Memorial and papers relating thereto, except as to the third object, wherein it was satisfactorily proven to the Committee that the said Medici incurred a debt of six pounds two shillings and eight pence for the support of himself and a party of light dragoons then in service of the United States and for which he gave his note in the year 1776 to Colo. Lane, of Wake County, and is now subject to the payment thereof in actual Money; the Committee therefore are of opinion that the Treasurer be, and he is hereby directed, to pay the said sum of Six pounds two shilling and eight pence to the said Captain Medici. Which is submitted.

WYATT HAWKINS, Chm.

The House taking this report into consideration, concurred therewith.

The Bill to repeal part of an Act intitled "an Act to explain an Act directing the duty of Naval officers and all Masters of Vessels coming into the ports and inlets of this State," was read the second time, amended, passed and sent to the Senate.

Mr. Davie moved for leave and presented a Bill directing the collectors of imposts and other duties to collect the same for the use of this State until the Congress of the United States shall make provision for that purpose; which was read the first time, passed and sent to the Senate.

Mr. Porter presented the Petition of William Nash, setting forth that John Taylor, Esquire, one of the Justices of Orange County, was a disorderly person, &c., and praying an enquiry therein; which being read, was referred to the Committee appointed on the Petition of Mr. Butler and sent to the Senate.

Mr. Mebane presented the Petition of George Doherty and Vincent P. Williamson, Executors of Capt. William Williams; which being read, was referred to the Committee on the Petition of Daniel Williams and sent to the Senate.

Mr. Mebane presented the Petition of James Newlin, which being read, was referred to the Committee of Propositions and Grievances and sent to the Senate.

Mr. B. Williams moved for leave and presented a Bill for levying a further Tax in the several Counties in the District of New Bern, and for calling to account the Commissioners of the same; which was read the first time, passed & sent to the Senate.

Mr. Grove moved for leave and presented a Bill to alter the mode of appointment of Inspectors of Tobacco at Fayetteville Warehouses, and to amend an Act intituled "an Act for the better regulation of the Town of Fayetteville," passed at Tarborough 1787, and to ascertain the limits of the said Town of Fayetteville.

Mr. Rhea, from the Committee to whom was referred the Bill to repeal part of an Act entitled "an Act, once more to extend an Act entitled an Act to pardon and consign to oblivion the offences and misconduct of certain persons in the Counties of Washington, Sullivan, Greene and Hawkins," Reported,

That on examining sundry papers and hearing oral Testimony, it appears that John Sevier, Esquire, together with sundry other persons in the said Counties, did in the years 1785, 1786 and 1787, in a great measure subvert the peace & good order of Government

of the State of North Carolina; that their conduct was in many particulars highly reprehensible. Your Committee further report, that at the time the people in those Counties first attempted to subvert the Government of North Carolina the said John Sevier, Esquire, did oppose them in such a manner as actually to prevent elections from being held under their new Government in two of the Counties, and when he at last joined them it was in obedience to the entreaties of several of the most influential persons in that part of the Country. Your Committee therefore conceive, that as the offences of all the citizens of the said Counties have been pardoned and consigned to oblivion, the said John Sevier, Esquire, ought to be placed in the same situation, it appearing to your Committee that he was not as highly reprehensible as many others. All of which is submitted.

JOHN RHEA, Chn.

The House taking this report into consideration, Concurred therewith; whereupon, the Bill to repeal part of an Act entitled "an Act once more to extend an Act entitled an Act to pardon and consign to oblivion the offences and misconduct of certain persons in the Counties of Washington, Sullivan, Greene and Hawkins," was read the third time, passed and ordered to be Engrossed.

Mr. B. Smith presented the Petition of Benjamin Williams; which being read, Mr. Smith moved for leave and presented a Bill to confirm unto Benjamin Williams an indefeasible title to a certain piece of Land in Brunswick County.

Ordered that the following Message be sent to the Senate:

Mr. Speaker & Gentlemen:

We herewith send you the Petition of Benjamin Williams, of Brunswick County, and a Bill to answer the prayer thereof, which we propose referring to the Committee appointed on the Petition of Daniel Williams.

Received from the Senate the following Messages:

Mr. Speaker & Gentlemen:

We have added to the Committee appointed to introduce a Bill directing the time, manner and place of Electing representatives, Mr. Brown, Mr. Macon, Mr. Sevier, Mr. Smith, Mr. Willis & Mr. McLaine. We have also appointed Mr. Skinner and Mr. Willis to examine the Engrossed Bills.

Mr. Speaker & Gentlemen:

We agree to ballot on Wednesday next for a Governor, Senator and place of holding the next Assembly, as by you proposed, and have added the name of Timothy Bloodworth, Esquire, to the nomination of Senator.

Ordered that the following Message be sent to the Senate:

Mr. Speaker & Gentlemen:

We have appointed Mr. Jones and Mr. Hamilton of Edenton, to assist in examining the Engrossed Bills.

The Bill to ratify the amendments to the Constitution of the United States, was read the second time, amended, passed and sent to the Senate.

The Bill for dividing the County of Surry into two distinct Counties, and for other purposes, was read the second time, passed and sent to the Senate.

Received from the Senate the report of the Committee on the Memorial of John Whitaker. Endorsed, read and concurred with.

Received also the Bill directing the Mode of proceeding on writs of Mandamus; and a Bill for establishing a Town at a place called Oxford, on the lands of ————————, in Granville County. Endorsed, read the first time and passed.

Received from the Senate an Act for pardoning John Bradley, of the Town of Wilmington, ratified by the Speaker of that House, which was ratified by the Speaker of this House also.

Mr. Person, from the Committee to whom was referred the representation of the Honbl. the Judges of the Superior Courts of Law, delivered in a report thereon; which being read, was rejected.

The Bill for procuring Testimony concerning the accounts of this State and the United States, was read the third time, amended, passed and sent to the Senate.

Received from the Senate a Bill for the relief of such Persons as may be wounded by the Indians within the district of Mero, and for other purposes; and a Bill to appoint Commissioners for carrying into effect an ordinance of the Convention of Hillsborough, and for the purposes therein mentioned. Endorsed, read the first time and passed.

Received also, a Bill for cutting a Navigable Canal from the waters of Pasquotank River in this State, to the waters of Elizabeth

River in the State of Virginia. Endorsed, read the second time and passed.

The Bill to prevent the exportation of Raw Hides, pieces of Hides of neat Cattle and Calf Skins, Beaver, Rackoon and fox furs, was read the third time, passed and ordered to be Engrossed.

The question being put shall this Bill pass, was carried in the affirmative; whereupon the yeas and nays were required by Mr. McDowall, and seconded by Mr. McDowall, Jr., which are as follows:

Yeas—Messrs. Pugh, W. Wood, D. Stewart, Nixon, Bell, J. Allen, Dauge, J. Rice, I. Hill, E. Phillips, Dickens, Beck, Anderson, Jo. Stewart, Dickson, Lassiter, Person, G. Hamilton, Yancey, Creecey, J. Moore, J. H. Bryan, R. Montgomery, Matthews, H. Baker, J. White, J. Johnston, Barrott, Bonds, Pride, J. Stewart, Peete, T. Allen, Perry, McLaine, Sutton, Armstrong, Mebane, Everagin, Chesson, E. Jones, Bethell, Bostick, Nash, Scott, E. Hamilton, J. Johnston, Hines, Spruill, Handley, Love, W. Hawkins, Sanders, Blair, Lock, D. Wilson, Porter, B. Jones, Chambers, Lindley, T. Blount, Z. Wood, J. Thompson, Stokes, Wallace, Mooring, Davie, B. Smith, J. G. Blount, J. A. Campbell, Snead.—71.

Nays—Messrs. J. McDowall, Duke, Grove, Ewing, Alderson, Phifer, A. Phillips, Holland, J. Brown, Ellison, J. Baker, J. McDowall, Jr.—12.

Mr. McDowall, Junr., moved for leave to enter his protest against the passage of this Bill. Ordered that he have leave accordingly.

Received from the Senate the Petition of John Row, and the Petition of George Doherty and Vincent P. Williamson, Exers. of Capt. William Williams. Endorsed, read and referred as by the House of Commons.

Received also the Memorial of Billy Hughes. Endorsed, read and referred to the Committee of Propositions and Grievances No. 1.

Received from the Senate the report of the Committee of Finance. Endorsed, read and Concurred with; which being read, was concurred with by this House and returned.

Mr. Hawkins, from the Committee, delivered in the following report:

The Committee to whom the Petition of Andrew Grier was referred, Report,

That a Certificate, granted by the General Assembly in the year 1784, to Edmund Williams of Washington County, the said Grier

lost out of his pocket, about the last of October near the Moravian Towns; as Mr. Grier did not prove the destruction of the said Certificate or the impossibility of its coming into circulation, the Committee think it impolitic to grant another under these circumstances; they therefore recommend the said Petition be rejected. Which is submitted.

WYATT HAWKINS, Chn.

The House taking this report into consideration concurred therewith.

Mr. Hawkins, from the Committee of Propositions and Grievances, delivered in the following Report:

The Committee to whom the Petition of John Smallwood was referred, Report,

That a Certificate issued by Messrs Connor and Hawks, Auditors in New Bern District, to Richard and James Ellis for one hundred and twenty-five pounds six Shillings, for one hundred and seventy-nine Gallons of Rum supplied to the State, was in December last washed up and destroy in a Jacket of the said Smallwood.

The Committee therefore recommend that the Comptroller be directed to issue to the said Smallwood, a Certificate to the same amount, and to bear the same date, on Mr. Smallwood's giving sufficient security to indemnify the State.

Which is submitted.

WYATT HAWKINS, Chn.

The House taking this report into consideration, Concurred therewith.

The Bill for amending the Act for opening the Land office for the redemption of Specie and other Certificates, & discharging the arrears due to the Army, was read the second time, amended, passed and sent to the Senate.

Mr. Hamilton of Edenton, moved for leave and presented a Bill to emancipate Charles Alley and Prudence Oggs.

Mr. Davie who had leave to withdraw for amendment a Bill to emancipate certain negroes therein mentioned, delivered in the bill at the Clerk's Table.

Mr. Hamilton of Edenton, moved for leave and presented a Bill to exempt the District of Morgan from the effects of an Act passed

this Session, intitled "an Act to prevent the exportation of raw hides," &c.

Mr. Davie moved for leave and presented a Bill for the more easy redemption of Mortgages.

Mr. Grove moved for leave and presented a Bill to amend an Act passed in the year 1770 intitled "an Act for opening and improving the navigation of lower little River in Cumberland County."

Mr. Stokes, from the Committee to whom was referred the Memorial of Doctor Frederick Ramche, delivered in the following report, to-wit:

The Committee to whom was referred the Memorial of Doctor Frederick Ramche of Edenton, Report,

That having considered the Memorial of Doctor Frederick Ramche and the vouchers of his services during the war, are of opinion that Doctor Ramche should be exempted from Militia duty on account of his services, in the same manner as other Continental officers. Which is submitted.

J. STOKES, Chn.

The House taking this Report into Consideration concurred therewith.

Mr. Hawkins, from the Committee of Propositions and Grievances, delivered in the following Report, to-wit:

The Committee to whom the Petition of Ritchie & Co., and Hooper & Co., Merchants, was referred, Report,

That the said Merchants imported into Cape Fear, Seventeen thousand two hundred Bushels of Salt and were by the Bills of lading compelled to give their bonds for the payment of the duty thereon, agreeably to Law.

That by exact calculations made at the time of the said Vessels disbursing the said Salt at Wilmington, and which are sufficiently authenticated by affidavits therewith presented, it appears the said Merchants received only fourteen thousand three hundred and forty-nine Bushels.

The Committee therefore are of opinion, and recommend that the Collector of the impost at Port Brunswick be directed to credit the Bonds of the said Ritchie and Hooper, given for the payment of the duty aforesaid, for the full amount of such deficiencies, to-wit: for

the duty on two thousand eight hundred and fifty one Bushels of Salt. Which is submitted.

WYATT HAWKINS, Chn.

The House taking this report into consideration, concurred therewith.

Mr. Hawkins, from the Committee, delivered in the following Report:

The Committee to whom the Petition of James Mebane and John Taylor was referred, Report,

That at a sale of confiscated property in Hillsborough District in the year 1782, the said Mebane and Taylor purchased of William Moore, the then Commissioner, four Tracts of Land for the sum of eleven hundred and Sixty one pounds, or thereabout. That after paying a considerable part of the said Consideration they gave their bond for the payment of the balance at the end of five years with Interest from the date of said bond. That some time after the said Mebane and Taylor sold the aforesaid Lands to James Williams then of Orange County, stipulating with the said Williams for him to pay the aforesaid balance of three hundred and eighty-seven pounds and Interest, which the said Williams failing to do, the Treasurer brought suit against the said Mebane and Taylor at the last Superior Court in Hillsborough District for the aforesaid balance and interest, amounting to four hundred and seventy four pounds, one Shilling and three pence.

That the said Mebane and Taylor, the more expeditiously to recover the aforesaid balance and interest of the said Williams, agreeably to the tenor of their bargain, came into Court and confessed a judgment for the same.

The Committee considering the premises are of opinion and recommend, that by a Resolution the Clerk of Hillsborough District be directed to stay the execution for the aforesaid Judgment twelve months. that the said Mebane and Taylor may have an opportunity to recovering the amount of said Judgment of the said Williams, they giving additional and sufficient Security for the payment of the said balance and Interest at the expiration of the said suspension.

Which is submitted.

WYATT HAWKINS, Chn.

The House taking this report into Consideration Concurred therewith.

The House adjourned till To-morrow Morning 9 O'clock.

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TUESDAY, 1 December, 1789.

The House met according to adjournment.

Mr. Person moved for leave and presented a Bill to vest a certain Tract of Land in James Forsyth.

Received from the Senate the Petition of Thomas Amis and Francis Ferrynaut. Endorsed, read and referred to the Committee on the Petition of Lewis McPherson; which being read, was referred as by the Senate and returned.

Mr. John G. Blount presented the Petition of Cosimo Medici; which being read, was referred to the Committee of Propositions and Grievances, No. 1, and sent to the Senate.

Mr. Blair presented the Petition of Elisha Hadden; which being read, was referred to the Committee of Propositions & Grievances, No. 1, and sent to the Senate.

Ordered that the Petition of Thomas Benbury, Collector of Port Roanoke, be referred to the Sub-Committee of Finance, No. 6.

Mr. Thomas P. Williams presented the Petition of Maurace Baum and Hannah Pugh of Currituck County; which being read, was referred to the Committee of Propositions and Grievances, No. 2, and sent to the Senate.

Mr. Hamilton of Edenton, moved for leave and presented a Bill to regulate the proceedings of Elections in certain instances in the Borough Towns in this State; which was read the first time, passed and sent to the Senate.

Mr. Jo. Stewart presented the Petition of Judith Dowd; which being read, was referred to the Committee of Propositions and Grievances, No. 1, and sent to the Senate.

Mr. Alderson presented the resignation of Andrew Sanders, a Justice of the Peace for Hyde County; which being read, was accepted and sent to the Senate.

Mr. Hamilton moved for leave and presented a Bill directing the mode of raising a fund in the several Ports in this State for the sup-

port of sick seamen and the manner of appropriating the same; which was read the first time, passed and sent to the Senate.

Received from the Senate a Bill for levying a further Tax in the several Counties in the District of New Bern, and for calling to account the Commissioners of the same; and a Bill for directing the Collectors of imposts and other duties to collect the same for the use of this State until the Congress of the United States shall make provision for that purpose. Endorsed, read the first time and passed.

Received also, a Bill to ratify the amendments to the Constitution of the United States; and a Bill granting to the inhabitants of Tyrrell County a privilege of holding separate elections for Members of Assembly. Endorsed, read the second time and passed.

Received from the Senate the report of the Committee on the Petition of Cosimo Medici, Concurred with by that House.

Received also the resignation of James Freeland and Benjamin Murrell, accepted by that House.

The Bill to amend an Act intitled "an Act directing the mode of proceeding against the real estate of deceased debtors, where the personal estate is insufficient for the payment of the debts;" was read the third time, amended, passed and sent to the Senate.

Mr. Stokes moved for leave and presented a Bill for the relief of parties in certain suits depending in the Superior Court of Law for the District of Morgan, which was read the first time, passed and sent to the Senate.

Received from the Senate the report of the Committee of Claims on the Memorial of Andrew Jackson, Esquire, Concurred with by that House; which being read, was also Concurred with and returned.

Mr. Stokes presented the Petition of sundry of the Inhabitants of the Counties of Montgomery, Anson, &c.; which being read, was referred to the Committee of Propositions and Grievances, No. 2, and sent to the Senate.

The Bill to amend an Act intituled "an Act to prevent the exportation of unmerchantable Commodities," was read the first time, passed and sent to the Senate.

Received from the Senate a Bill for raising a revenue for the payment of the Civil List and Contingent charges of Government for the year 1790. Endorsed, read the first time and passed. This Bill was read for the first reading in this House and returned to the Senate.

The Bill directing the mode of choosing Senators to represent this State in the Congress of the United States, was read the first time, passed and sent to the Senate.

The Bill for the more easy redemption of Mortgages, was read the first time, passed and sent to the Senate.

The Bill to appoint Commissioners for carrying into effect an Ordinance of the Convention at Hillsborough & for the purposes therein mentioned, was read the first time and the question being put "shall this Bill pass" was objected to, the House divided, and there were for the passage fifty two and against it fifty-two; whereupon, the Honbl. Speaker giving his own vote, pronounced that the bill passed. The yeas and nays therein were called for by Mr. Phifer & seconded by Mr. Lock, which are as follows, to-wit:

Yeas:—Messrs. Grice, Pugh, T. P. Williams, Duke, Nixon, Bell, J. Allen, Sawyer, Dauge, Wommack, J. Hill, E. Phillips, Sherrod, Dickens, Lassiter, Person, Alderson, Outlaw, Yancey, Creecey, B. Williams, R. Montgomery, Qualls, Norfleet, H. Baker, White, Bonds, J. Stewart, W. Williams, S. Allen, Perry, Sutton, Armstrong, Everagin, Drew, Chesson, Hamilton, Guion, T. Johnson, Hines, Spruill, P. Hawkins, Handley, W. Hawkins, B. Sanders, T. Blount, Peters, Wallace, Mooring, Davie, J. G. Blount, J. Baker.—52.

Nays—Messrs. May, McKay, McDowall, Cowan, D. Stewart, Grove, J. Rice, Ewing, Beck, Jo. Stewart, G. Hamilton, Gillispie, Moore, King, Brevard, J. Johnston, Barrott, Spicer, Pride, Snead, Phifer, Jo. Douglass, Peete, W. Johnston, Tindale, Mebane, Rhea, E. Jones, Bethell, Bostick, N. Brown, Scott, Edwards, Barnes, Love, Blair, Lock, Holland, D. Wilson, Porter, B. Jones, Chambers, J. Brown, Lindley, Ellison, Z. Wood, Spiller, Stokes, B. Smith, J. A. Campbell, E. Williams, McDowall, Jr., Matthews.—53.

It was moved by Mr. Lock and seconded by Mr. McDowall, that the vote of the House on the passage of this Bill be reconsidered; this being objected to, the question was put "will the House reconsider the vote," and carried in the affirmative; whereupon the Bill was again taken up and put on its passage, & the question being put, "shall this Bill pass," was negatived.

Received from the Honbl. the President of the late Convention, the following Message:

To the Honbl. the General Assembly:

Gentlemen:

I herewith send you the Journals of the Proceedings of the Convention, to be disposed of in such manner as you think proper.

SAML. JOHNSTON, President of the Convention.

Resolved, That the Journals of the proceedings of the last Convention be deposited by the Clerks of the General Assembly in the office of the Secretary of this State.

Received from His Excellency the Governor, the following Message:

To the Honorable the Speaker of the House of Commons:

Sir:

I herewith send you a Copy of the Journals of the House of representatives of the Congress of the United State, which were transmitted to me by the Secretary of that House and came to me the last evening by express.

SAM. JOHNSTON.

Received from His Excellency the Governor, the following Message:

To the Honorable the General Assembly:

Gentlemen:

You will with this, receive a letter from the Consul of France to Mr. Thomas, one of your agents for settling the accounts of this State, which I think it my duty to lay before you.

SAML. JOHNSTON.

Ordered that the following Message be sent to the Senate:

Mr. Speaker & Gentlemen:

We herewith send you several Messages this day received from the Honbl. Samuel Johnston; the letter from the Consul of France enclosed in one of them we propose to refer to that branch of the Committee on Finance who have under consideration the Martinique demand; the other relative to the Journals of the late Convention, we have framed a resolve on which we send for your Concurrence.

Ordered that the Bill to repeal so much of an Act passed at Tarborough, intitled "an Act to regulate the Inspection of Tobacco," as alludes to Classing the same, be committed to Mr. E. Jones, Mr. J.

G. Blount, Mr. Person, Mr. Bostick, Mr. P. Hawkins & Mr. J. Stewart.

The Honbl. the Speaker, laid before the House the following Message from the Comptroller:

To the Honourable the General Assembly of the State of North Carolina:

Gentlemen:

Agreeable to your resolve of the 24th November, I herewith lay before your Honourable body an account of all the balance due to the public from individuals in the said State, as they stand on the books in my office.

FRANS. CHILD, Comptr.

Ordered that the account of balances reported by the Comptroller be referred to the Committee of Privileges and Elections of this House, and sent to the Senate for their perusal.

The Bill to alter the mode of appointment of Inspectors of Tobacco at Fayetteville Ware House, and to amend an Act intitled "an Act for the better regulation of the Town of Fayetteville, passed at Tarborough, 1787, and to ascertain the limits of Fayetteville," was read the first time, passed and sent to the Senate.

Mr. Davie, from the Committee appointed, &c., delivered in a Bill directing the manner of electing Representatives to represent this State in Congress; which was read the first time, passed and sent to the Senate.

Ordered that the Bill for dividing the County of Surry, be read to-morrow for the third reading.

Ordered that the Committee to whom was Committed the Bill for the redemption of the Certificates, &c., be directed to make report To-morrow.

Mr. Person presented the Memorial of the Honbl. Samuel Spencer, Esquire, on the behalf of himself and the other Judges of the Superior Courts, on the Subject of Salaries; which being read, The House Resolved, they would again take up the Subject.

Ordered that the Bill to amend an Act for the better regulation of the Town of Edenton, and a Bill to establish a public Inspection of Tobacco in the Town of Clarksville, be read for the second reading To-morrow.

Received from the Senate the following Message:

Mr. Speaker & Gentlemen:

We have reconsidered and rescinded our resolution of the 28th Inst., relative to the introduction of Bills of a private nature, and propose that they may be received in either house until Saturday.

Ordered that the following Message be sent to the Senate:

Mr. Speaker & Gentlemen:

We agree that the time for receiving bills of a private nature be lengthened until Saturday as by you proposed.

Received from the Senate a Bill for the promotion of learning in the County of Currituck; and a Bill directing the mode of paying the Members of the General Assembly. Endorsed, read the first time and passed. Received also a Bill to repeal part of an Act intitled "an Act directing the duty of Naval officers, and all masters of vessels coming into the ports and inlets of this State." Endorsed, read the second time and passed.

Received from the Senate the following Reports of the Committee of Propositions and Grievances, concurred with by that House, to-wit.:

On the Petition of Ritchie & Co.;

On the Petition of Andrew Grier;

On the Petition of John Smallwood;

On the Petition of James Mebane and John Taylor.

Received from the Senate the Petition of James Newlin. Endorsed, read and referred as by the House of Commons.

The House adjourned to Wednesday Morning next 9 O'Clock.

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WEDNESDAY, 2d December, 1789.

The House met according to adjournment.

Mr. Rhea presented the Memorial of John Montgomery; which being read, was referred to Mr. McDowall, Senr., Mr. Rhea, Mr. Drew, Mr. McLaine, Mr. Moore, on the part of this House and sent to the Senate.

Received from the Senate the report of the Committee on the Petition of Benjamin Williams. Endorsed, read and Concurred with.

Received from the Senate a Bill to confirm unto Benjamin Williams an indefeasible title to a certain piece of Land in Brunswick County. Endorsed, read the first time and passed. This Bill was

read the first time in this House, passed and returned to the Senate.

Received from the Senate a report of the Committee on the Petition of John Gray and Thomas Blount; on the Petition of John Steele, Commissioner, &c.; and on the Petition of John Walker. Endorsed, read and Concurred with; which reports being read, were concurred with by this House and returned.

The Petition of John Armstrong, which had heretofore been referred to the Committee on Finance, was read and referred to the Committee of Propositions and Grievances, No. 1, and sent to the Senate.

Received from the Senate the Memorial of James Saml. Purdie, late Sheriff for the County of Bladen. Endorsed, read and referred on the part of this House to Mr. Brown & Mr. Willis; which being read, was referred to Mr. Cowan, Mr. Stewart and Mr. Barns, and returned.

Mr. McLaine presented the Petition of Jane Simpson; which being read, was referred to the Committee appointed on the Petition of Lewis McPherson & Mr. Grove and Mr. Holland added thereto.

Received from the Senate the following Message:

Mr. Speaker & Gentlemen:

We have added Mr. Benford to the Committee of Propositions and Grievances, No. 2.

Received from the Senate a resolution of that House on the Memorial of William Nall, late Sheriff of Wilkes County; which being read, was amended, Concurred with as amended, and returned to the Senate.

Received from the Senate a Bill directing the manner of electing representatives to represent this State in Congress; and a Bill for the relief of Securities in joint obligations. Endorsed, read the first time and passed. Received also, a bill directing the mode of choosing Senators to represent this State in the Congress of the United States; and a Bill for levying a Tax in the District of Salisbury for furnishing the Court House ,&c. Endorsed, read the second time and passed.

Received from the Senate the Petition of Cosimo Medici, the Petition of Judith Dowd, the Petition of Elisha Hadden, the Petition of John Armstrong, and the Petition of Maurice Baum. Severally endorsed, read and referred as by the House of Commons.

Received from the Senate the following Message:

Mr. Speaker & Gentlemen:

We agree that the letter from the Consul of France be reported on by that branch of the Committee of Finance who have under their consideration the Martinique demand.

Received from the Senate the resolution of this House directing the Journal & proceedings of the Convention to be filed in the Secretary's office, Concurred with.

Received from the Senate the following Bills. Endorsed, read the first time and passed, to-wit.:

A Bill to alter the mode of appointment of Inspectors of Tobacco at Fayetteville Warehouse, &c.;

A Bill for the relief of parties in certain Suits depending in the Superior Court of Law for the district of Salisbury;

A Bill directing the mode of raising a fund in the several Ports in this State for the relief of sick Seamen, &c.;

A Bill to regulate the proceedings of Elections in certain instances in the Borough Towns of this State;

A Bill for the more easy redemption of Mortgages.

Received from the Senate the Petition of Jane Simpson. Endorsed, read & referred as by the House of Commons. Received also the Memorial of John Montgomery. Endorsed, read and referred to Mr. Graham, Mr. Carter and Mr. Smith.

Received from the Senate the following Message:

Mr. Speaker & Gentlemen:

We have appointed Mr. Hargett and Mr. Graham to superintend the balloting this evening.

Ordered that the following Message be sent to the Senate:

Mr. Speaker & Gentlemen:

We have on our parts, appointed Mr. T. Blount and Mr. Hamilton of Guilford, to superintend the Balloting this evening.

The House adjourned till 4 O'clock P. M.

Met according to adjournment.

Mr. Jones presented the Petition of John Bradley and others, whose names are thereunto subscribed, praying, &c; which being read, was referred to the Committee appointed on the Petition of Lewis McPherson and sent to the Senate.

Mr. Wood presented the Petition of Thomas Thomas, which being read, Mr. Wood then moved for leave and presented a Bill vesting an indefeasible title to Thomas Thomas of Anson County, for four hundred acres of Land.

Ordered that the following Message be sent to the Senate:

Mr. Speaker & Gentlemen:

We propose that the Bill herewith sent you, vesting an indefeasible title to Thomas Thomas of Anson County for four hundred acres of Land, be referred to the Committee appointed on the Petition of Greenbury Sutton.

Received from the Senate the Petition of William T. Batey, Administrator, &c. Endorsed, read & referred to the Committee of Propositions and Grievances, No. 1; which being read, was referred as by the Senate and returned.

Mr. Wood presented the Petition of Thomas Jones, which being read, was referred to the Committee of Propositions and Grievances and sent to the Senate.

Received from the Senate the Memorial of William Blount. Endorsed, read and referred to Mr. Gowdy, Mr. Ashe, Mr. Hargett; which being read, was referred on the part of this House, to Mr. Mebane, Mr. Armstrong, Mr. Person, Mr. McDowall & Mr. J. Allen & returned.

Mr. Chambers presented the Petition of Nancy Horah, which being read, was referred to the Committee on the Petition of William Brandon, and sent to the Senate.

Mr. Porter presented the Petition of William Gilbert, which being read was referred to the Committee of Propositions and Grievances and sent to the Senate.

Received from the Senate the following Message:

Mr. Speaker & Gentlemen:

We have directed the Superintendents to wait on the sick absent Members now in Town in order to receive their votes and hope that they will receive like instructions from your House.

Resolved, That the House do concur with the proposition contained in the above Message:

Ordered that Mr. David Rice be excused for absenting himself from the service thereof without leave, the reasons for his absenting himself being very urgent.

Mr. Brevard presented the Petition of Centre Benevolent Society; which being read, Mr. Brevard moved for leave and presented a Bill to incorporate a Society of persons by the name of Centre Benevolent Society, which was read the first time, passed and sent to the Senate.

Mr. Wilson presented the Petition of Robert Hays, which being read, was referred to the Committee of Propositions and Grievances, No. 2, and sent to the Senate.

Received from the Senate the Petition of William H. Baty. Endorsed, read and referred to the Committee on the Petition of James Purdie; which being read, was referred as by the Senate and returned.

Received from the Senate the following Message:

Mr. Speaker & Gentlemen:

The Bill for annexing part of the County of Bladen to the County of Cumberland, we propose shall be reported on by the Committee appointed on the Petition for dividing Hawkins County.

Ordered that the following Message be sent to the Senate:

Mr. Speaker & Gentlemen:

We consent that the bill for adding part of Bladen County to the County of Cumberland be referred as by you proposed.

Mr. Stokes presented the Petition of Robert Martin, Esquire, Clerk of Salisbury Superior Court; which being read, was referred to the Committee of Propositions and Grievances, No. 2, and sent to the Senate.

Received from the Senate the following Message:

Mr. Speaker & Gentlemen:

We propose that a Committee be appointed to consist of Members from each House, to take under consideration and report what steps are proper to be taken in order that this State may recover of Benjamin Exum the Money which this State is likely to lose through his misconduct as late Treasurer of the District of New Bern, and have appointed for this purpose on our parts, Mr. Ashe, Mr. Gillespie and Mr. Macon.

Ordered that the following Message be sent to the Senate:

Mr. Speaker & Gentlemen:

We have on our parts appointed Mr. Person, Mr. Davie, Mr. Dickens, Mr. Stokes and Mr. P. Hawkins, to act with the gentlemen by

you appointed to report to the Assembly what measures are proper to be pursued to recover of Ben. Exum the losses which are likely to be sustained by his misconduct as late Treasurer, &c.

Received from the Senate the following Message:

Mr. Speaker & Gentlemen:

The resolution of your House in favour of William Nall, the Sheriff of Wilkes County, we propose shall be referred to the Committee appointed on the Petition of James Purdie, and that they so model it as to answer the prayer of the Petitioners without an injury to the State.

Ordered that the following Message be sent to the Senate:

Mr. Speaker & Gentlemen:

We agree that the resolution of your House in favour of William Nall, late Sheriff of Wilkes County, be referred as by you proposed.

Mr. Stokes, from the Committee to whom was referred the Memorial of Erick Salerstead, &c., delivered in the following Report:

Your Committee to whom was referred the Memorial of Erick Salerstead and Jane his wife, and Peter Mallett, in behalf of themselves and others, praying that suits at law commenced against them by the Attorney General on behalf of the State, may be ordered to be discontinued, Report,

That the General Assembly cannot with propriety give relief to the Memorialists, a Court of law being the only proper tribune for the decision of the controversy. Which is submitted.

JOHN STOKES, Chairman.

The House taking this report into consideration, concurred therewith.

Ordered that the Bill to cede to that part of the Citizens of this State, who reside west of the great Iron mountains, the Territorial right thereof, &c., &c., be read the second time to-morrow.

The House adjourned until To-morrow Morning 9 O'clock.

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THURSDAY, 3 December, 1789.

The House met according to adjournment.

Mr. Hamilton of Guilford, from the joint balloting for a Governor of this State and a Senator to represent this State in the Senate of

the United States and the place at which the next General Assembly shall be held, Reported,

That no one person in nomination for a governor of this State, nor for a Senator to represent this State in the Senate of the United States, had a Majority of votes for such appointments.

That Fayetteville was the place at which the next General Assembly shall be held, as appointed by a Majority of the votes of both houses.

The House taking this report into consideration, Concurred therewith.

Received from the Senate the Memorial of James Armstrong. Endorsed, read and referred to Mr. Brown, Mr. Gillispie and Mr. Clinton, on the part of the Senate; which being read, was referred on the part of this House to Mr. Mebane, Mr. Hamilton of Edenton, Mr. Pride, Mr. Hawkins and Mr. E. Jones on the part of this House, and returned to the Senate.

The Honbl. the Speaker laid before the House a return made by the public Treasurer of the balances due by the several public delinquent debtors; which being read, was referred to the Sub-Committee of Finance who have under consideration the Treasurer's accots., and sent to the Senate.

Received from the Senate the Petition of Joseph Green. Endorsed, read and referred to the Committee of Propositions and Grievances, No. 2; which being read, was referred as by the Senate and returned.

Received from the Senate the Petition of John Markland. Endorsed, read and referred to Mr. Herritage & Mr. Smith, on the part of the Senate; which being read, was referred on the part of this House, to Mr. Allen, Mr. Nixon and Mr. Peete and returned to the Senate.

Received from the Senate sundry Petitions from Dobbs County praying a division thereof. Endorsed, read & referred to the Committee appointed on the bill for dividing Hawkins County; which being read, was referred as by the Senate and returned.

Received from the Senate the Petition of Ann Cruse. Endorsed, read and referred to the Committee on the Petition of Daniel Williams; which being read, was referred as by the Senate and returned.

Received from the Senate the resignation of Alexander Gregory

of his office of Justice of the Peace for Cumberland County. Endorsed, read and accepted; which being read, was accepted by this House and returned.

Mr. Lock, from the Committee to whom was referred the Bill to discharge the expences of an expedition against the Indians, and the Bill to impower the County Treasurer and Collectors in the several Counties in the district of Washington, &c., delivered in a report, which being read and amended, was agreed to as follows, to-wit.:

The Committee to whom was referred the Bill to discharge the expences of an expedition against the Indians, and the Bill to impower the County Treasurer and collectors in the several Counties in the District of Washington to receive from any person or persons in payment of their public Taxes, &c.

That having read the said Bills are of opinion that the bill to discharge the expence of an expedition against the Indians with the amendments thereto annexed, will sufficiently answer the purpose of paying the expences of the expedition carried on under the command of Brigadier-General Martin. And the title of this Bill ran thus: "A Bill to prescribe the mode of paying the Militia officers and Soldiers for their service in an expedition against the Chickamagaw Indians by Brigadier-General Martin in the year 178—." All which is submitted.

MATTHEW LOCK, Chairman.

Whereas, It is represented to this General Assembly by a Memorial of the Honorable the Judges of the Superior Courts of Law that the additional business imposed on them since the Law fixing their Salaries by the accession of the Equity Jurisdiction hath rendered the said Salaries greatly inadequate to the fatigue and trouble they have been obliged to undergo in consequence thereof.

Resolved, Therefore that each of the said Judges be allowed the sum of three pounds in addition to their Salaries as established by Law for each Court which they have respectively attended since the first day of January, in the year one Thousand seven hundred and Eighty-three, up to the present year inclusive, to be paid out of the Treasury of this State on the Certificates of the Clerks of the several Courts that they have attended, and that the Treasurer be allowed the same in the settlements of public accounts.

On the question to agree to this resolution the yeas and nays were

called for by Mr. Montgomery, seconded by Mr. Porter, which are as follows, to-wit.:

Yeas—Messrs. W. Wood, McKay, Cowan, Nickson, Grove, Sawyer, Womack, Dickens, Person, G. Hamilton, Outlaw, Yancey, Creecy, E. Williams, Qualls, Norfleet, H. Baker, Brevard, J. Johnston, Barrott, Pride, Peete, Perry, J. Armstrong, Everagin, Reading, Drew, Rhea, Nash, Brown, E. Hamilton, Guion, Hines, Love, Barnes, Sanders, Lock, Lindley, Spiller, Stokes.—40.

Nays—Messrs. May, Grice, Pugh, T. P. Williams, McDowall, Dauge, J. Rice, Ewing, E. Phillips, Sherrod, Beck, Jo. Stewart, J. Moore, R. Montgomery, Matthews, J. White, Spicer, Bonds, J. Stewart, W. Williams, Phifer, S. Allen, McLaine, Sutton, Mebane, Chesson, A. Phillips, Bethel, Bostick, Scott, Edwards, T. Johnston, Wallace, Davie, B. Smith, J. G. Blount, J. A. Campbell, J. Baker, J. McDowall, Jr., Spruill, Handley, W. Hawkins, Blair, Holland, Porter, B. Jones, Ellison, T. Blount, Z. Wood, Peters.—50.

Mr. Mebane, from the Committee to whom was committed the Bill providing means for the payment of the domestic debt, for appropriating certain monies therein mentioned, and to amend an act passed at the last Session of the General Assembly entitled "an Act for levying a Tax for the support of Government, and for the redemption of old paper Currency, Continental Money Specie and other Certificates," delivered in the same with amendments, which was taken up and read for the second reading in this House, was amended, passed and sent to the Senate.

The Bill to alter the times of holding the annual Assemblies of this State was read the second time, amended, passed and sent to the Senate.

Received from the Senate the following Message:

Mr. Speaker & Gentlemen:

From the report of yesterday's balloting, no one of the Candidates for Governor or Senator appearing to have a Majority of Votes, we propose that the two Houses proceed again to ballot for those officers at 4 O'clock this Evening, and nominate the same Gentlemen as were Candidates on yesterday's balloting for the respective appointments.

Ordered that the following Message be sent to the Senate:

Mr. Speaker & Gentlemen:

We agree to ballot this evening for a Governor of this State and a Senator as by you proposed. Mr. Hamilton and Mr. T. Blount will superintend the balloting on the part of this House.

Mr. Lock, from the Committee to whom was referred the inquiry respecting the Warrants drawn on the Treasurer in favor of Colo. Alexander Outlaw, &c., delivered in a report, which being read, was amended and agreed to as follows, to-wit.:

The Committee to whom was referred the inquiry respecting the Warrants drawn on the Treasurer in favour of Colo. Alexander Outlaw, Commissary and paymaster to the Station on the North side of Tennessee River, Report,

That it appears to your Committee that the Law for establishing the said Station hath not been fully complied with, as there have been but ten privates raised, instead of thirty-three, the number required by Law; neither does it appear to your Committee when they were enlisted or how long they continued in service, and it appears that Colo. Alexander Outlaw, Commissary and paymaster to the Troops belonging to said station, hath drawn Warrants on the Treasury payable out of the Taxes from the District of Washington to a larger amount than the expences of said station will amount to.

Your Committee therefore are of opinion that the said Colo. Outlaw return to the Governor of this State the Warrants drawn by him as paymaster and Commissary to the Guard at Fort Johnston, on the north side of Tennessee River, and that the Governor issue a Warrant to him for five hundred pounds to be paid off and discharged agreeable to the Act for erecting the Station aforesaid.

That the said Colo. Alexander Outlaw shall, as soon as possible, settle his accounts with the Comptroller in the manner directed by the Act passed in 1786 intituled "an Act for raising Troops for the protection of the Inhabitants of the Cumberland Settlements," and should any balance remain still due after such settlement, the Governor shall issue a Warrant to the said Alexander Outlaw, paymaster and Commissary as aforesaid, for such balance; and if the said sum of five hundred Pounds exceed the sum due as aforesaid, then the said Alexander Outlaw shall account for the same agreeable to his bond.

Received from the Senate the following Message:

Mr. Speaker & Gentlemen:

We agree that the bill vesting in Thomas Thomas, of Anson County, certain Lands, be referred to the Committee on the Petition of Greenbury Sutton.

Received from the Senate a resolution of that House directing that Curtis Ivey shall have leave to return home from Muster rolls, &c., which being read, was concurred with and returned.

Ordered that the Bill for impowering the several County Courts within this State to appoint Patrolls, &c., be Committed to Mr. Bonds, Mr. Jones & Mr. B. Smith.

Ordered that the following bills be read for the second reading To-morrow, to-wit.:

A Bill to amend an Act entitled "an Act for the better regulation of the Town of Edenton;

A Bill to incorporate the Tradesmen and Manufacturers of the Towns of Edenton, &c.;

A Bill to vest an indefeasible right of inheritance in Charles Alley and Prudence Oggs:

A Bill to regulate the proceedings of Elections in certain instances, &c.;

A Bill to impower the Wardens of the poor in Franklin and Surry to build Houses for the reception of the poor.

Received from the Senate the Memorial of Nancy Horah, and the Petition of sundry of the Inhabitants of Anson, Richmond, &c., in favour of Edward Ingram. Endorsed, read & referred as by the House of Commons.

Received from the Senate the following Bills. Endorsed, read the first time & passed, to-wit.:

A Bill to incorporate a Society of persons by the name of Centre Benevolent Society;

A Bill for preventing loss of the revenue of the State by securing payment for vacant Lands;

A Bill directing at what time the Laws of this State shall be in force and have effect;

A Bill to repeal part of an Act passed at New Bern intituled an Act to divide the District of Morgan.

Received also a Bill directing the manner of issuing process in

sundry cases arising in the Superior Courts of Law and Courts of Equity, &c.; and a Bill to amend an Act intituled "an Act to prevent the exportation of unmerchantable Commodities." Endorsed, read the second time and passed.

The House adjourned till 4 O'clock P. M.

Met according to adjournment.

Mr. E. Jones presented the Memorial of Thomas Haslin, which being read, was referred to the Committee of Propositions and Grievances, No. 1, and sent to the Senate.

The Bill for laying off a Town on the lands of John Marriner in Tyrrell County, was read the third time, passed and sent to the Senate.

The Bill to emancipate certain Negroes therein mentioned, was read the second time, amended, passed and sent to the Senate.

The Bill to establish a public Inspection of Tobacco in the Town of Clarksville, in the County of Tennessee, was read the second time, amended, passed & sent to the Senate.

The Bill to invest an indefeasible right of inheritance in Charles Alley and Prudence Oggs, the surviving natural children of the late John Oggs of the County of Pasquotank, of such property as was bequeathed to them and their deceased brother Jesse Oggs, was read the second time, amended, passed and sent to the Senate.

Mr. McKay presented the Petition of John McNeill, which being read, was referred to the Committee of Propositions and Grievances, No. 2, and sent to the Senate.

The Bill to vest certain Lands therein mentioned in the monthly meeting of the People called Quakers, of New Garden, in Guilford County, was read the third time, passed and sent to the Senate.

Mr. Hawkins, from the Committee, &c., delivered in the following Report:

The Committee to whom the Petition of Timothy Riggs was referred, Report,

That by sufficient Testimony it appears to your Committee that a number of Warrants were issued from the Entry office of Rutherford County and placed into the hands of the said Timothy Riggs, Surveyor of the said County of Rutherford, which warrants were Transferred to other persons by the direction of the person in whose name they were issued; and the said Timothy Riggs, instead of

taking the transfer of the warrants on the back thereof erased the name of the original holder and inserted the name of the person to whom it was transferred, and returned the works accordingly, tho' with no intent of doing injury to either party, which circumstance has induced the Secretary to withhold issuing Grants on Surveys made on all the warrants so effaced.

Your Committee are therefore of opinion that the Secretary be directed to issue Grants for all Surveys made and returned to his office on Warrants that have not been defaced by the said Timothy Riggs, and that he return all such Warrants as have been so defaced to the said Timothy Riggs, and that the said Timothy Riggs return them to the said entry taker of the said County, and that the entry taker be directed to issue other Warrants in lieu thereof in the name of the original holder. All which is submitted.

ALEXR. MEBANE, Chn.

The House taking this report into consideration, Concurred therewith.

Mr. Person, Chairman of the Committee to whom the Petition of the Inhabitants of Rutherford County was referred, delivered in the following Report:

That it appears to your Committee, from several Gentlemen of veracity, that the said Timothy did at his own expence build a large boat for the purpose of discovering the Channel of Broad river as far as the ————————; that he was at a very considerable expence in clearing and opening the said river so that boats might pass, which discovery tends much to the benefit of the State in general and to the County of Rutherford in particular.

Your Committee therefore, in order to reimburse the said Timothy Riggs the money he has expended in making the said discovery, do recommend that the entry taker of the County of Rutherford be directed to issue a Warrant or Warrants to the said Timothy Riggs to the amount of one thousand acres of Land, clear of all charges, fees of office excepted.

This report being read, the House concurred therewith.

Ordered that the following Message be sent to the Senate:

Mr. Speaker & Gentlemen:

This House propose that Saturday next be set apart for the ap-

pointment of Field Officers and Justices of the Peace for the several Counties in this State.

Ordered that Wyatt Hawkins, Esquire, have leave to absent himself from the service of this House after Wednesday next, and Philemon Hawkins, Esquire, after Saturday next.

Ordered that the Bill for cutting a navigable Canal from the waters of Pasquotank river in this State, to the waters of Elizabeth River in the State of Virginia, and the bill to prescribe the Militia officers and Soldiers in an expedition carryed on against the Chickamagaw Indians, &c., be read To-morrow for the second reading.

Received from the Senate the following Message:

Mr. Speaker & Gentlemen:

We have added Mr. Mayo and Mr. Wynns to the Committee of Propositions and Grievances, No. 2.

The House adjourned till To-morroy Morning 9 O'clock.

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Friday, 4 December, 1789.

The House met according to Adjournment.

The Bill to confirm unto Benjamin Williams an indefeasible title to a certain piece of Land in Brunswick County, was read the second time, amended, passed & sent to the Senate.

Mr. Dickson, from the Committee to whom was referred the Petition of Mary McFall, Reported,

That Neil McFall, the husband of the said Mary, died possessed of two small Tracts of Land in Bladen County, and some personal property intestate; That the said Neill attached himself to the enemy in the course of the late War, whereby the Commissioner of Confiscated estates, conceiving he had a right, advertised and sold the lands aforesaid, although the County Court of Bladen had previously adjudged all the property of the said deceased only sufficient to maintain the widow and Children, as fully appears from the Clerk's Certificates herewith presented.

The Committee, under these circumstances, are of opinion the widow ought to enjoy for the benefit of the orphans the whole of the property so assigned her by the Court, & recommend that a bill be introduced vesting an indefeasible right in the said Mary McFall to all the property so assigned by the Court to her and her heirs forever. All which is submitted.

ROBERT DICKSON, Chn.

The House taking this report into consideration, Concurred therewith.

Mr. E. Jones moved for leave and presented a Bill to establish the title of certain lands therein mentioned in the heirs Male of Neil McPhaul, late of Bladen County; which was read the first time, passed and sent to the Senate.

Mr. Hamilton, from the joint balloting for a Governor of this State and a Senator to represent this State in the Senate of the United States, Reported:

That no one person in nomination for a Governor, nor for a Senator, had a Majority of Votes and that they were again to be balloted for.

The House taking this report into Consideration, Concurred therewith.

Received from the Senate the following Message:

Mr. Speaker & Gentlemen:

The subject matter contained in the form of a resolution herewith sent you on the subject of representation we propose shall be reported on by a joint Committee, and have for this purpose on our parts, appointed Mr. Hill, Mr. Graham, Mr. Gallaway, Mr. Blount and Mr. Ashe.

Ordered that the following Message be sent to the Senate:

Mr. Speaker & Gentlemen:

We have appointed Mr. Hamilton of Guilford, Mr. Lock, Mr. Davie, Mr. Jones, Mr. Stokes, Mr. Peete, Mr. Mebane & Mr. Person, to act with the Gentlemen by you appointed to consider of the resolution proposed for calling a Convention to revise the Constitution of this State. We propose that a Governor and Senator be balloted for To-morrow evening at 4 O'clock, and that the Gentlemen formerly nomination for these offices respectively be still continued in nomination.

The Bill to Cede to the United States certain Lands therein mentioned, was read the second time, amended, passed and sent to the Senate.

Received from His Excellency the Governor, the following Message:

To the Honorable the General Assembly:

Gentlemen:

Considering it my duty to communicate to your Honorable Body

every information respecting Indian affairs which come to my knowledge, I do myself the Honor to send you a Letter which has this moment come to my hands.

SAM. JOHNSTON.

Ordered that the letter referred to in the foregoing Message be referred to the Committee on Indian Affairs and sent to the Senate for Concurrence.

Received from His Excellency the Governor, the two following Messages:

To the Honorable the General Assembly:

Gentlemen:

Having dispatched all the business of the State which has been laid before me, and it being necessary that I should make preparation for entering on the duties of my new appointment, it is my intention to leave this place to-morrow morning, unless the Assembly should think it essential to the publick service that I should continue longer.

SAM. JOHNSTON.

To the Honorable the General Assembly:

Gentlemen:

I herewith send you a duplicate of the ratification of the Constitution of the United States to be deposited among the Archives of this State in such manner as you may be pleased to order.

SAM. JOHNSTON,
President of the Convention.

Resolved, That the duplicate of the ratification of the Constitution of the United States be delivered by the Clerk of this House to the Secretary, and that he file the same in his office.

Ordered that the following Message be addressed to His Excellency the Governor:

To His Excellency, Samuel Johnston, Esquire, Captain-General,

Governor, &c., &c., of N. Carolina:

Sir:

The General Assembly do not deem it essentially necessary that you should give any longer attendance on them, therefore consent to your departure from this place when you think proper.

Ordered that the above Message be sent to the Senate for Concurrence, with the following Message:

Mr. Speaker & Gentlemen:

We herewith send you a Message which we propose shall be presented to His Excellency Samuel Johnston, Esquire.

The Bill to amend an Act passed in 1770 intitled "an Act for opening and improving the navigation of lower Little River in Cumberland County," was read the first time, passed and sent to the Senate.

Resolved, That General Clark be requested to deliver to Doctor Williamson such Musters or papers as may be of use in establishing the charges of this State against the United States, for which the Doctor shall give him a receipt if it be desired.

Resolved, That the Comptroller be required to collect such Musters, pay Rolls or other Books or papers from amongst the papers of the late Generals, Sumner and Hogan, and of Colonels Dixon and Lytle as may be of use in determining the service performed by the Line of this State, and that the Executors of those Gentlemen be requested to furnish the Comptroller with such papers.

Resolved, That the Comptroller forward to Edenton as soon as possible the old Continental Money now in the Treasury, and the vouchers and such other accounts and Claims against the United States as he may have lately settled, and that he forward by the first safe opportunity such other vouchers and papers as he may be able to collect.

The Bill to prescribe the mode of paying the Militia officers and Soldiers for their services in an expedition carryed on against the Chickamawgaw Indians by Brigadier-General Joseph Martin in the year 1788, was read the second time, amended, passed and sent to the Senate.

The Bill to amend an Act intitled "an Act for the better regulation of the Town of Edenton," was read the second time, amended, passed and sent to the Senate.

Ordered that the Bill directing the manner of electing representatives to represent this State in Congress, be read To-morrow for the second time.

Received from the Senate a Bill for appointing Commissioners to

extend the boundary line between this State and the State of South Carolina. Endorsed, read the first time and passed.

The House adjourned until To-morrow Morning 9 O'Clock.

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SATURDAY, 5 Decembre, 1789.

The House met according to Adjournment.

Mr. McKay presented the Memorial of Philip Alston, which being read, was rejected.

Mr. Hamilton of Guilford, moved for leave and presented a Bill for allowing the judge of Mero District a further sum as a Compensation for his travelling to the said Mero District thro' the Wilderness; which was read the first time, passed and sent to the Senate.

Received from the Senate the Memorial of Matthew Lock. Endorsed, read and referred to the Committee of Propositions and Grievances, No. 1; which being read, was referred as by the Senate and returned.

Received from the Senate the following Message of yesterday's date, to-wit.:

Mr. Speaker & Gentlemen:

We consent to ballot to-morrow evening agreeable to your propositions, for a Governor and Senator, and have added to your nomination for Senator the name of John Stokes, Esquire; we also agree that the appointment of Justices and Field officers be made part of the business of Saturday next.

Received from the Senate a resolution of that House for returning the thanks of the General Assembly to His Excellency Samuel Johnston, Esquire, for the able and upright manner in which he has conducted himself during his administration; which being read, was concurred with and returned.

Received from the Senate the following Message:

Mr. Speaker & Gentlemen:

Should the resolution of this House voting thanks to His Excellency, Samuel Johnston, Esqr., meet your approbation, Mr. Macon and Mr. Skinner will, on the part of this House, attend and deliver the same.

Resolved, That the following Message be sent to His Excellency Samuel Johnston, Esquire:

To His Excellency Samuel Johnston, Esquire, Captain-General, Governor and Commander-in-Chief, in and over the State of North Carolina:

Sir:

The General Assembly have this day reconsidered the Message received from your Excellency respecting your departure from this place; we think proper now to suggest that the public business may require the attendance of the executive officer until a new appointment shall take place, and therefore request that you will not leave this place until that event or until the rise of the General Assembly.

Ordered that the following Message be sent to the Senate:

Mr. Speaker & Gentlemen:

We herewith send for your concurrence a Message addressed to His Excellency the Governor, should it meet your approbation, Mr. Davie and Mr. Person will attend His Excellency with the same.

Received from the Senate the following Message:

Mr. Speaker & Gentlemen:

We consent that the Message by you proposed to be presented His Excellency the Governor, shall be sent him, provided you will agree to the amendment inserted by this House.

Whereas, at a General Assembly holden at Fayetteville in the year 1786, on the representation of Benjamin Williams, Needham Bryan and William Avera, Esquires, Members of the General Assembly for the County of Johnston, that Henry Finch, a Justice of the Peace for the said County, by sundry misdemeanors incompatible with the duty and dignity of his said office, had rendered himself unworthy thereof, the said Henry Finch was suspended from the exercise of his said office and was ordered to attend the next General Assembly to answer the Charges then to be more specially, and at large objected against him, and at the said last mentioned Assembly the said Finch failing to appear a further day was given for him to appear before the present Assembly, and the said orders having been duly served on the said Henry and he having failed to appear again before this Assembly, therefore,

Resolved, That the said Henry Finch be put and entirely removed from his said office forever, and that he hence forward shall not be considered as a Justice of the Peace for the said County, and that the Clerks of the General Assembly do transmit official notice thereof

to the Court of Pleas and Quarter Sessions for the said County as early as may be.

The Bill for levying a further Tax in the several Counties in the District of New Bern, and for calling to account the Commissioners of the same, was read the second time, passed and sent to the Senate.

Ordered that the reading of the Bill directing the manner of Electing representatives to represent this State in Congress, be postponed until Monday next.

Ordered that the following Message be sent to the Senate:

Mr. Speaker & Gentlemen:

We propose that the Bill introduced to the General Assembly in 1786, to vest in James Cash, his Heirs, &c., a Tract of Land, and the papers accompanying it be referred to a joint Committee, and that such Committee report the propriety of passing such bill into a Law; for this purpose we have appointed Mr. Person, Mr. Mebane and Mr. Lindley.

Mr. Hawkins, from the Committee of Propositions and Grievances, delivered in a Report, which being read & amended was agreed to as follows, to-wit.:

The Committee to whom the Petition of John Rowe was referred, Report,

That the said Rowe served in the Continental line of this State two years and a half as a Soldier, as appears from a discharge herewith presented; That on his application to the late board for the adjustment of his account a certain William Faircloth had previously and without the consent of the said Rowe settled the same and drawn the due Bill & certificates. That the said Rowe instituted a Suit in the Superior Court of Law for the District of Halifax against Faircloth, and recovered the Sum of eighty-three pounds twelve Shillings and seven pence, for which two Executions were issued and returned unsatisfied. The Committee therefore are of opinion that the Treasurer be directed to pay the said Rowe one-fourth part of said Judgment in Money, to-wit: Twenty Pounds eighteen Shillings and one penny three farthings, and the Comptroller be also directed to issue Certificates for the remaining three-fourths, the money part to be paid out of the fines collected from the said Faircloth which were imposed at Warrenton by the Judges of the Court of Oyer and Terminer. Which is submitted.

WYATT HAWKINS, Chn.

Received from the Senate the report of the Committee on the Memorial of James Samuel Purdie. Endorsed, read and concurred with; which being read, was Concurred with by this House and returned.

The Bill granting to the Inhabitants of Tyrrell County a privilege of holding separate Elections for Members of Assembly, was read the second time, passed and sent to the Senate.

The Bill for dividing the County of Surry into two distinct Counties, and for other purposes, was read the third time, passed and ordered to be Engrossed.

Received from His Excellency the Governor, the following Message.

To the Honorable the General Assembly:

Gentlemen:

I shall with the most cheerful and ready compliance accommodate myself to the wishes of your Honorable Body, expressed in your Message of this Day.

My mind is impressed with the highest sense of Gratitude, by the honorable Testimony which you have been pleased to hold forth, of your approbation of my conduct in the Execution of office of the first Magistrate of this State.

SAML. JOHNSTON.

Ordered that the above Message be sent to the Senate.

Received from the Senate the report of the Committee on the Petition of the Inhabitants South of French Broad River. Endorsed, read, concurred with and returned.

Mr. Person, from the Committee to whom was referred the Memorial of Colo. Nicholas Long, delivered in the following report, to-wit.:

The Committee to whom was referred the Memorial of Colo. Nicholas Long, as agent of twenty-six of the officers of the line of this State as is represented in his Memorial, beg leave to report,

That they, having taken the said Memorial into consideration, are clearly of opinion from the Law that existed at the time of purchasing the Confiscated property, that he was entitled to pay as was proposed by him and set forth in his Memorial, is so plain and clear that no person can possibly dispute.

Your Committee therefore beg to say that Colo. Long produces and pays into the Treasury on Oath the same Certificates that he repre-

sents in his Memorial he did therefore lodge in the hands of the Treasurer for the express purpose of paying for the property purchased for and on behalf of the said officers; that then, and in that case the Treasurer be directed to take the said Certificates as before specified in payment of the judgment obtained against said Colo. Long. All of which is submitted.

THOMAS PERSON, Chn.

The House taking this report into consideration Concurred therewith.

The Bill to repeal part of an Act intituled "an Act directing the duty of Naval officers, and all masters of Vessels coming into the Ports and inlets of this State," was read the third time, amended, passed and sent to the Senate.

The Bill to incorporate the tradesmen and manufacturers of the Towns of Edenton, New Bern, Wilmington and Washington, was read the second time, amended, passed and sent to the Senate.

The Bill directing the mode of choosing Senators to represent this State in the Congress of the United States was read the second time, amended, passed and sent to the Senate.

The Bill to ratify the amendments to the Constitution of the United States, was read the third time, amended, passed and sent to the Senate.

The Bill directing the Collectors of imposts and other duties, to collect the same for the use of this State until the Congress of the United States shall make provision for that purpose, was read the second time, passed and sent to the Senate.

The Bill for the more easy redemption of Mortgages was read the second time, passed and sent to the Senate:

The Bill directing the mode of proceeding on Writs of Mandamus, was read the second time, passed and sent to the Senate.

Received from the Senate the Petition of the Inhabitants of Rutherford County and the Report on the Petition of Timothy Riggs, concurred with by that house.

The House adjourned until 4 O'clock P. M.

Met according to adjournment.

Received from the Senate the following Message:

Mr. Speaker & Gentlemen:

We are now ready to proceed to balloting.

Ordered that the following Message be sent to the Senate:

Mr. Speaker & Gentlemen:

We are also ready to proceed to balloting, and have appointed Mr. Hamilton and Mr. Blount to superintend the same.

Ordered that Mr. James Thompson have leave to absent himself from the service of this House.

Received from the Senate the resolution of this House directing the Clerk to deliver to the Secretary the duplicate of the ratification of the Constitution, concurred with.

Received also, the Message from His Excellency the Governor, inclosing the letter from Bennett Billew. Endorsed, read and referred as by the House of Commons.

Received from the Senate the following Message:

Mr. Speaker & Gentlemen:

Mr. Gillespie, Mr. Ashe and Mr. Hargett will, on the part of this House, act with such Gentlemen as you may appoint to report on the Petition of Nicholas Eveleigh, herewith sent you. We also propose that this Committee be instructed to report some plan of relief for all those in similar circumstances with Mr. Eveleigh.

Ordered that the following Message be sent to the Senate:

Mr. Speaker & Gentlemen:

We agree that the Petition of Nicholas Eveleigh be referred to a joint Committee as by you proposed, and have appointed Mr. Jones, Mr. Campbell, Mr. Spiller, Mr. Snead and Mr. Ben Smith. We also agree that the Committee appoint some mode of general relief for those in similar circumstances with Mr. Eveleigh.

Received from the Senate the report of the Committee on the Memorial of Nicholas Long, and the resolution of this House removing Henry Finch of Johnston County from the office of a Justice of the Peace, concurred with by that House.

Received also the Report of the Committee on the Memorial of Doctor Frederick Ramche, concurred with.

Received from the Senate a Bill making process in Equity in certain cases more effectual. Endorsed, read the first time and passed.

The House adjourned till Monday next 9 O'Clock.

MONDAY, 7th Decr., 1789.

The House met according to adjournment.

Mr. Hamilton, from the joint balloting for Governor of this State for the ensuing year, and a Senator to represent this State in the Senate of the United States, Reported,

That the Honorable Alexander Martin, Esquire, was elected Governor, and that no one person in nomination for Senator had a Majority of votes, and that a Senator was yet to be elected.

The House taking this report into consideration concurred therewith.

Received from the Senate a resolution of that House directing the Secretary to issue a Grant to Thomas Overton for 332 acres of Land, & take in one that issued for the same land to John Overton; which being read, was amended, concurred with as amended, and returned to the Senate.

N. CAROLINA,

IN SENATE, 7 December, 1789.

Mr. Speaker & Gent.:

This House have thought proper to withhold their concurrence to the report from the late balloting for Governor, from a suggestion that the Gentleman elected to that office is not eligible & until he shall do away this apprehension We propose that the Speakers of the two Houses be requested to acquaint Alexander Martin of his having rec'd a majority of the suffrages of the Genl. Assembly as Governor and the suggestion as to his disqualification & request his immediate attendance.

CHAS. JOHNSON.

Received from the Senate the following Reports, Concurred with by that House, to-wit:

On the Petition of the Inhabitants of Caswell County;

On the Petition of the Inhabitants of Bladen County;

On the resolve in favour of William Nall, Sheriff of Wilkes County;

On the Petition of the Inhabitants of Hawkins County;

On the Petition of the Inhabitants of Iredell County.

These Reports being read, were severally concurred with and returned.

Received from the Senate the following Messages, to-wit.:

Mr. Speaker & Gentlemen:

The Report of the Committee on the Petition of the Inhabitants of Mecklenburg County herewith sent you, we propose shall be Committed to the same Committee.

Mr. Speaker & Gentlemen:

The Petition from the Third Battalion of Rowan County herewith sent you, we propose shall be reported on by the Committee appointed on the Petition from Hawkins County.

Ordered that the following Message be sent to the Senate:

Mr. Speaker & Gentlemen:

We agree that the Petition of the Third Battalion of the Rowan Militia be referred as by you proposed, and also the report on the Petition of the Inhabitants of Mecklenburg.

Ordered that the following Message be sent to the Senate:

Mr. Speaker & Gentlemen:

We herewith send you a letter from James Taylor, and propose that the Speakers of the two Houses be requested to write to the Honorable Alexander Martin, Esquire, informing him of his election to the Chief Magistracy of this State and requesting him to come to this place and qualify.

The Bill to amend an Act intituled "an Act to prevent the exportation of unmerchantable Commodities," was read the second time, passed and sent to the Senate.

The Bill for dividing the County of Caswell, was read the first time, passed and sent to the Senate.

Mr. E. Jones moved for leave and presented a Bill to repeal an Act passed at ———— in 1784, intitled "an Act to describe and ascertain such persons who owed allegiance to the State, and to impose certain disqualifications on certain persons therein mentioned," which was read the first time, passed and sent to the Senate.

Mr. Mebane presented the resignation of Ambrose Ramsey, Esqr., of his appointment of Brigadier-General of Hillsborough District.

Mr. Hamilton moved for leave and presented a Bill the better to secure the collection of duties imposed on goods imported into this State; to regulate the Harbour of Edenton, &c.; to direct the future

Inspection of Tobacco at Murfreesborough; which was read the first time, passed and sent to the Senate.

Ordered that the bill to alter and amend an Act of the General Assembly passed in the year 1784, intituled "an Act to prevent the exportation of unmerchantable commodities," be committed to the Committee to whom the bill to regulate the Inspection of Tobacco was referred.

The Bill directing the mode of paying the Members of the General Assembly, was read the first time, passed and sent to the Senate.

The Bill for the relief of the Securities in joint obligations, was read the first time, passed and sent to the Senate.

Mr. Jones moved for leave and presented a Bill for the increase of the Revenue, and to encourage Surgeons and Physicians; which was read the first time and rejected.

The Bill making process in Equity in certain cases more effectual, was read the first time, passed and sent to the Senate.

The Bill for promoting the revenue of the State by securing payment for vacant Lands, was read the first time, passed and sent to the Senate.

The Bill directing at what time the Laws of this State shall be in force and have effect, was read the first time, passed and sent to the Senate.

The Bill for appointing Commissioners to extend the Boundary line between this State and the State of South Carolina, was read the first time, passed and sent to the Senate.

Mr. Davie moved for leave and presented a Bill to amend an Act intitled "an Act to regulate the descent of real estates, to do away entails, to make provision for Widows and to prevent frauds in the execution of last Wills and Testaments," which was read the first time, passed and sent to the Senate.

The Bill directing the manner of electing representatives to represent this State in Congress, was read the second time, passed and sent to the Senate.

Received from the Senate the Report of the Committee on the Memorial of John Whitaker; and the report on the Petition of Cosimo Medici. Endorsed, read and Concurred with.

The Bill to repeal part of an Act to regulate and ascertain the several officers fees therein mentioned, and for altering the time of holding Courts of Law and equity for the Districts of Halifax, Edenton,

New Bern and Wilmington, passed at New Bern the 22 of October, 1784, was read the second time, passed and sent to the Senate.

Received from the Senate a Bill providing for the payment of the domestick debt, for appropriating certain monies therein mentioned, and to amend an Act passed at the last Session of the General Assembly intitled "an Act for levying a tax for the support of Government, and for redemption of old paper Currency, continental Money, Specie and other Certificates." Endorsed, read the second time & passed.

Received from the Senate the following Message:

Mr. Speaker & Gentlemen:

We agree that the Bill to vest certain Lands in James Forsyth be reported on by a joint Committee, and have appointed Mr. Gillispie and Mr. Clay to act with the Gentlemen by you named for this purpose.

The House adjourned until To-morrow Morning 9 o'Clock.

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Tuesday, 8 December, 1789.

The House met according to adjournment.

Mr. Hines presented the Petition of William Jones, which being read, was referred to the Committee of Propositions and Grievances and sent to the Senate.

Received from the Senate the resignation of William McKinne of his Commission as Colonel of Wayne County; the resignation of Geo. H. Berger of his Commission as Colo. of Rowan County, and the resignation of Demcey Moore of his Commission of first Major of the Hillsboro Regiment of Cavalry. Severally endorsed, read and accepted; which being read, were accepted by this House and returned.

Received also the resignation of Ambrose Ramsey of his Commission of Brigadier-General of the District of Hillsborough. Endorsed, read and accepted.

Mr. J. G. Blount, from the Committee to whom was committed the Bill to repeal so much of an Act passed at Tarborough intitled "an Act to regulate the inspection of Tobacco as alludes to classing the same," delivered in a Bill the better to regulate the Inspection of Tobacco; which was read the first time, passed and sent to the Senate.

Received from the Senate the Petition of John McKethen, Senr.,

and the Petition of William Griffin. Endorsed, read and referred to the Committee of Propositions and Grievances No. 1; which being read, was referred as by the Senate and returned.

Received also the Report of the Treasurer in favour of Green Hill. Endorsed, read and referred to Mr. Graham & Mr. McDowall on the part of the Senate; which being read, was referred on the part of this House, to Mr. W. Hawkins, Mr. Sanders and Mr. Hines and returned.

Mr. Hawkins, from the Committee of Propositions and Grievances, delivered in the report; which being read and amended, was agreed to, as follows:

The Committee, to whom the Petition of Sundry Inhabitants of Salisbury District was referred, Report,

That the said Petitioners under a Law passed in the year 1782, became purchasers of certain lands sold by General Rutherford, then a Commissioner, many of whom not having the particular certificates required by said Law to pay the two-thirds, were induced to give their bonds with security for the payment of the whole in actual money, by the promises or insinuations of the said Commissioner, that at a future day they would have the privilege of paying two-thirds of the amount of their bonds in specie audited Certificates. That suits have been instituted against many of the said Petitioners, and recoveries likely to be had for the whole amount of their Bonds in actual money. The Committee therefore are of opinion, and recommend, that those of the aforesaid Petitioners who gave their Bonds for the payment of the whole of the purchase Money aforesaid, may be permitted to pay two-thirds thereof in Specie Certificates, and that they, as well as those who paid two-thirds in Certificates, and against whom suits have also been instituted, may have an indulgence of eighteen months stay of execution, on their coming into Court, confessing Judgment and paying interest. Your committee are also of opinion that where any person who has purchased any of the aforesaid Lands hath paid any part of the two-thirds, exclusive of the Money parts, in Certificates, he shall be at liberty to pay the residue of the said two-thirds in Certificates, altho' the Bond of such person for the balance not paid may have been given for money, it being the opinion of your Committee that only one-third of any of the said purchases shall be paid in money.

WYATT HAWKINS, Chn.

Received from the Senate the report of the Committee on the Petition of the Inhabitants of Anson County. Endorsed, read and concurred with by this House and returned.

Mr. Drew moved for leave and presented a Bill to impower Joel Rice and James Cole Montflorence to build Tobacco Warehouses on the public lott in the Town of Nashville and to receive storage of Tobacco Inspected thereat; which was read the first time, passed and sent to the Senate.

Mr. Hamilton of Edenton, moved for leave and presented a Bill to increase the Jurisdiction of the Superior and County Courts and of the Justices out of Sessions, which was read the first time and rejected.

The Bill to revive and continue in force, so far as respects the County of Johnston, an Act passed in the year 1786, intitled "an Act impowering the several County Courts therein mentioned to lay a Tax," &c.; was read the second time, amended, passed and sent to the Senate.

Mr. Grove moved for leave and presented a Bill to amend an Act passed at Hillsborough in 1784, entituled "an Act for regulating the Pilotage and facilitating the Navigation of Cape Fear River, and to levy a Tax on the Counties, Towns and articles therein mentioned for the purpose of removing obstructions out of the said River, for keeping the same open, and appointing Commissioners for carrying the same into effect;" which was read the first time, passed and sent to the Senate.

The Bill to establish an University in this State, was read the third time, amended, passed and sent to the Senate.

Ordered that the following Message be sent to the Senate:

Mr. Speaker & Gentlemen:

We have appointed Mr. Person and Mr. Davie to confer with the Members of the Senate to adopt and report the mode by which Alexander Martin, Esquire, shall be informed of his having a Majority of the suffrages of the General Assembly for the office of Governor of this State, and that the Speakers of the two Houses be requested to acquaint him therewith.

Mr. Stokes moved for leave and presented a Bill to amend and provide for the deficiencies of the revenue Laws of this State, which was read the first time, passed and sent to the Senate.

The Bill to impower the wardens of the poor for the Counties of

Orange, Franklin and Surry to build a House or houses for the reception of the poor, and for amending Wilmington Town Law, was read the second time, amended, passed and sent to the Senate.

The Bill to erect a public provision Store in the County of Hawkins for the accommodation of the Cumberland Guard, was read the second time, passed and sent to the Senate.

The Bill to amend an Act intitled "an Act to make certain securities negotiable," was read the second time and rejected.

The Bill to repeal the Sixty-fifth section of an act passed at New Bern in the year 1777, intituled "an Act for establishing Courts of Law and for regulating the proceedings therein," was read the second time, passed and sent to the Senate.

Received from the Senate the following Message of yesterday's date:

Mr. Speaker & Gentlemen:

We propose that the General Assembly ballot at 4 O'clock Tomorrow Evening for the Senator yet to be made choice of to represent this State in the Congress of the United States, a Brigadier General for the district of Hillsborough, and a first and second Major of Horse for the same district. We nominate for Senator the same Gentlemen who were candidates on the last balloting for that appointment:

For Brigadier-General Joseph Taylor, Esqr.; for First Major, Lewis Bledsoe, and second Major, Paul Jeffreys.

Ordered that the following Message be sent to the Senate:

Mr. Speaker & Gentlemen:

We concur with the Message of your House of yesterday's date, proposing to ballot this evening for a Senator, Brigadier-General for the District of Hillsborough, &c.

We approve of the nominations by you made.

Received from the Senate the following Messages:

Mr. Speaker & Gentlemen:

Mr. Skinner & Mr. Lenoir will act on the part of this House with the Gentlemen by you named for the purpose of reporting the manner in which Alexander Martin, Esquire, shall be informed of his election to the office of Governor.

Mr. Speaker & Gentlemen:

At the particular request of William Lenoir, Esqr., his name is

withdrawn from the nomination for Senator to the Congress of the United States.

Received from the Senate a Bill to repeal part of an Act for appointing an Agent & holding a Treaty with the Cherokee Indians, and for other purposes. Endorsed, read the first time & passed.

A Bill to prescribe the mode of paying the Militia officers and Soldiers for their services in an expedition against the Chickamaugaw Indians, &c. Endorsed, read the second time and passed.

A Bill directing the mode of choosing Senators to represent this State in the Congress of the United States. Endorsed, read the third time & passed.

The Bill directing the mode of raising a fund for the several Ports in this State for the support of sick seamen, and the manner of appropriating the same, was read the second time, amended, passed and sent to the Senate.

The House adjourned until 4 O'clock P. M.

Met according to Adjournment.

Ordered that the following Message be sent to the Senate:

Mr. Speaker & Gentlemen:

We have added Mr. John Mebane to the nomination for first Major for the Cavalry of Hillsborough District. We propose that the Gentlemen in nomination for Militia officers having the greatest number of votes be declared duly elected. Mr. T. Blount and Mr. Hamilton will superintend the balloting on the part of this House.

Mr. J. Bryan moved for leave and presented a Bill to enable the Courts of Pleas and Quarter Sessions in this State to issue process to remove before them any of the Judicial proceedings of Justices of the Peace out of Sessions, which was read the first time, passed and sent to the Senate.

Received from the Senate the following Message:

Mr. Speaker & Gentlemen:

We are now ready to proceed to balloting, and have appointed Mr. Hargett and Mr. Graham to superintend the same on the part of this House; we have added the name of Alexander Mebane, Esquire, to the nomination for Brigadier Generall of the District of Hillsborough.

Ordered that the following Message be sent to the Senate:

Mr. Speaker & Gentlemen:

At the particular request of Alexander Mebane, Esquire, his name is withdrawn from the nomination of Brigadier-General for the District of Hillsborough.

The Bill to authorise and impower James Billingly to execute a Deed or Deeds of Conveyances agreeable to a power of Attorney and the last Will and Testament of William Rea, late of Guilford County, deceased, was read the second time, passed and sent to the Senate.

The Bill for the better promotion of learning in the County of Currituck, was read the first time, passed and sent to the Senate.

Received from the Senate the following Message:

Mr. Speaker & Gentlemen:

We agree that the Candidates for the appointments of Militia officers having the greatest number of votes be returned Elected.

Ordered that the Bill for adding Randolph County to Salisbury District, and Rockingham County to Hillsborough District, be Committed to Mr. Wood, Mr. Hamilton, Mr. Mebane, and Mr. Jones.

Received from the Senate a Bill directing at what time the Laws of this State shall be in force and have effect. Endorsed, read the second time and passed .

The Bill to repeal part of an Act passed at New Bern intituled "an Act to Divide the District of Morgan," was read the first time, passed and sent to the Senate.

The Bill to amend an Act entitled "an Act for directing the method of appointing Jurors in all Causes, Civil and Criminal," passed at Halifax in the year 1779, was read the first time, passed and sent to the Senate.

The Bill for levying a Tax in the District of Salisbury for finishing the Court House & repairing the Jail for the said District, was read the third time, amended, passed and sent to the Senate.

The Bill to impower certain persons therein named to receive, sue for and recover all such bequests, donations, benefactions and other things as have heretofore been bequeathed, given or made by any person or persons whatsoever for the use of the Congregation or Society of the Episcopal Communion of New Bern, was read the second time, passed and sent to the Senate.

The Bill directing the sale of the Salt Licks and Springs within the District of Mero, was read the second time, passed and sent to the Senate.

The Bill to vest in Jeremiah and Robert Field an indefeasable right to such property as was granted to them by their father in the year 1776, was read the second time, passed and sent to the Senate.

The Bill for erecting and establishing a Town at Hawkins Court House, was read the second time, passed and sent to the Senate.

The Bill directing returns to be made of the taxable property in the middle District of Anson County for the year 1788, was read the second time, passed and sent to the Senate.

The Bill to annex part of Burke County to the County of Wilkes, was read the second time, passed & sent to the Senate.

The Bill to impower the Wardens of the Poor for the County of Currituck to lay a tax to enable them to settle the arrears due from said County to persons who have supported the Poor, was read the third time, passed & sent to the Senate.

The Bill to form part of the Militia of Rowan County into a separate battalion, was read the second time, passed and sent to the Senate.

Received from the Senate the resignation of James Howard of his office of a Justice of the Peace for Chatham County. Endorsed, read and accepted; which being read, was accepted by this House and returned.

The Bill for erecting a Town on the lands of Fergus Stone, and to amend an Act for the division of Rowan County, was read the second time, passed and sent to the Senate.

Received from the Senate an Extract from the Treasury office of the United States. Endorsed, read and referred to the Committee of Finance; which being read, was referred as by the Senate and returned.

The Bill for appointing Commissioners in the County of Greene for building a Court House, Prison and Stocks in said County, and for levying a Tax for defraying the expences thereof, was read the first time, passed and sent to the Senate.

Ordered that Mr. Hamilton of Edenton & Mr. Sutton have leave to absent themselves from the service of this House after Saturday Mr. McDowall after Thursday and Mr. Duke after Sunday.

Ordered that the Bill for cutting a Navigable Canal from the Wa-

ters of Pasquotank river in this State, to the waters of Elizabeth River in the State of Virginia, be read the second time To-morrow.

Ordered that the reports of the several Committees before this House be taken up To-morrow.

The House adjourned until To-morrow Morning 9 O'clock.

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WEDNESDAY, 9 December, 1789.

The House met according to adjournment.

Mr. Thomas Blount, from the joint balloting for a Senator and Brigadier-General for the District of Hillsborough, and a first and second Major of Cavalry for the said District, Reported,

That Benjamin Hawkins, Esquire, was Elected Senator, Alexander Mebane, Esquire, Brigadier-General for the District of Hillsborough, Lewis Bledsoe first Major and Paul Jeffreys Second Major of Cavalry for the said District.

The House taking this report into Consideration, Concurred therewith.

Received from the Senate the report of the Committee of Claims on the Claims of James McRee & Isaac Titsworth, and the Report of the Committee on the Petition of Capt. Daniel Williams, Concurred with by that House; which being read, were concurred with by this House and returned.

Mr. Davie, from the Committee of Conference, &c., delivered in the following Report, to-wit:

The Committee of Conference on the mode of acquainting Alexander Martin, Esquire, of his having a Majority of the suffrages of the General Assembly for the office of Governor, beg leave to recommend that the Speakers of the two Houses be requested to inform Alexander Martin, Esquire, that he had a Majority of Suffrages for the office aforesaid, and that they forward the said information immediately by Express. All which is submitted.

WILLIAM R. DAVIE, Chm.

The House taking this report into Consideration Concurred therewith.

Mr. Hawkins, from the Committee of Propositions and Grievances, delivered in a report on the Petition of Thomas Parker, which being read, was rejected.

The order of the day for reading for the second time the bill for cutting a Navigable Canal from the waters of Pasquotank river in this State, to the Waters of Elizabeth River in the State of Virginia, being called for and read.

Resolved, That the House resolve itself into a Committee of the whole house to take under Consideration the propriety of passing this Bill into a law. The House, Resolved itself into a Committee of the whole accordingly, and chose Mr. Lock Chairman, after some time spent in Committee Mr. Speaker resumed the Chair and Mr. Lock reported the following resolution, to-wit:

Resolved, That it is the opinon of the Committee that it is improper to pass the Bill for cutting a Navigable Canal from the waters of Pasquotank River in this State, to the waters of Elizabeth River in the State of Virginia, into a law.

The House taking this resolution into consideration, Concurred therewith; whereupon,

The Bill for cutting a Navigable Canal from the waters of Pasquotank river in this State, to the waters of Elizabeth River in the State of Virginia, was laid over until the next Assembly.

Ordered that Mr. Hickson have leave to absent himself from the service of this House after Saturday next.

The Sub-Committee of Finance, No. 5, applied to this House to be directed with respect to the ragged Money now in the Treasury, and having stated that there is £3410 15 17, belonging to the sinking fund, and another considerable sum over and above the amount of the sinking Fund Tax so worn as to be totally unfit for Circulation, therefore,

Resolved, That the said Committee be directed to burn the amount of the said sinking fund Tax, and report to the house on Monday next the amount of the ragged Money, unfit for circulation, that will remain in the Treasury afterward.

Received from the Senate the report of the Committee of Conference on the mode of informing Alexander Martin, Esquire, of his having a Majority of the Suffrages of the General Assembly for the office of Governor, Concurred with.

On the Petition of James Glasgow, Esquire, public Secretary, Resolved, That the said James Glasgow be allowed the Sum of one hundred and ninety pounds for depreciation of his Salary as Secretary aforesaid, from June 1777, until June 1781.

The Question to agree to this resolution being objected to, the yeas and nays were required by Mr. Alderson, which are as follows:

Yeas—Messrs. W. Wood, Grove, Womack, J. Rice, Dickens, Lassiter, Person, G. Hamilton, Gillispie, Yancey, J. H. Bryan, Montgomery, King, J. Bryan, W. Baker, Brevard, White, J. Johnston, Peete, Maclaine, Armstrong, Mebane, Everagin, Rhea, Chesson, E. Jones, Guion, E. Hamilton, T. Johnson, Barnes, Lock, Wilson, Chambers, Lindley, T. Blount, Peters, Spiller, Stokes, Wallace, Mooring, Sheppard, B. Smith, J. G. Blount, J. Baker.—44.

Nays—Messrs. May, N. Brown, M. Bell, Spruill, Ewing, W. Hawkins, J. Stewart, Holland, Matthews, Nash, McDowall, Senr., Edwards, Dauge, Love. E. Phillips, Blair, J. Moore, B. Jones, Duke, Scott, Sawyer, Handley, J. Hill, Sanders, Alderson, Porter, Norfleet, J. Brown, Spicer, Tyson, Barrot, J. A. Campbell, Drew, Z. Wood, Phifer, Bethell.—36.

Mr. Davie moved for leave and presented a Bill to encourage the manufacture of Pot-Ash, which was read the first time, passed and sent to the Senate.

Received from the Senate the following Message:

Mr. Speaker & Gentlemen:

We herewith send you a Letter just received from the Governor of the State of Virginia, which we propose shall be reported on as soon as possible by a joint Committee, and have appointed on the part of this House, Mr. Smith, Mr. Macon, Mr. Blount, and Mr. Sevier.

At the same time received the letter referred to in the forgoing Message. Endorsed, read and referred to Mr. Smith, Mr. Macon. Mr. Blount, Mr. Sevier; which being read, was referred on the part of this House, to Mr. Davie, Mr. Person, Mr. Stokes, Mr. Williams, Mr. J. G. Blount, Mr. Lock, and returned to the Senate.

Ordered that the Memorial of James Horsey be transferred to the Committee of Propositions and Grievances, No. 1, and sent to the Senate.

Mr. Tyson moved for leave and presented a Bill to prevent the recovery of interest on bonds and Notes as therein described, which was read the first time, passed and sent to the Senate.

The House adjourned until 4 O'clock.

Met according to adjournment.

Whereas, it is presented to this General Assembly that there are several ancient records, patents, deeds, &c., in the possession of William Boyd, Senr., of Beaufort County, which should be deposited in the office of the Secretary of this State; and it is also represented that many of said records are entered on the County Register's Book of Beaufort,

Resolved therefore, That the Secretary of State be directed, as soon as may be, to have such part of the records carefully transcribed as shall be registered on any Book of record in the possession of William Boyd, aforesaid, that ought of right to remain in the registers office of Beaufort county, which Transcript when made, together with all Patents, Deeds, Records, &c., as above mentioned, he shall file in his office; and for the said service the Secretary shall be allowed reasonable compensation.

Mr. Stokes moved for leave and presented a Bill to amend an Act passed at New Bern in November, 1784, intituled "an Act to explain, amend and supply the deficiencies of an Act passed at Hillsborough intituled an Act to regulate the descent of real estates, to do away entails, to make Provision for Widows, and to prevent frauds in the execution of last Wills and Testaments, and for directing how deeds of Gifts and Bills of Sales of Slaves shall be executed, authenticated and Perpetuated;" which was read the first time, passed and sent to the Senate.

Mr. Stokes presented the Memorial of John Wright of Anson County, which being read, was referred to the Committee of Propositions and Grievances, No. 1, and sent to the Senate.

Mr. Porter moved for leave and presented a Bill to alter the time of electing the Members of the General Asembly in this State, which was read the first time, passed & sent to the Senate.

Received from the Senate the following Message:

Mr. Speaker & Gentlemen:

We have appointed Mr. Macon and Mr. Blount to attend with such Gentlemen as you may nominate to wait on, and acquaint Benjamin Hawkins, Esquire, of his appointment as Senator from this State, to the Congress of the United States.

Ordered that the following Message be sent to the Senate:

Mr. Speaker & Gentlemen:

We have on our parts appointed Mr. Stokes and Mr. Campbell,

to attend with the Gentlemen by you appointed to wait on Ben. Hawkins, Esquire, and acquaint him with his election as a Senator in the Congress of the United States.

Mr. Mebane presented the Memorial of William Wood and others, whose names are thereunto subscribed; which being read, was referred to the Committee of Propositions and Grievances, No. 1, and sent to the Senate.

Received from the Senate the Memorial of Benjamin Smith. Endorsed, read and referred to the Committee on the Memorial of Nicholas Eveleigh, and Mr. Gowdy and Mr. Clinton were added to the said Committee; which being read, were referred as by the Senate. Mr. J. G. Blount, Mr. Mebane and Mr. McDowall, Jr., were added and the name of Mr. B. Smith withdrawn from the said Committee.

Received from the Senate the Memorial of William T. Lewis. Endorsed, read and referred to the Committee of Propositions and Grievances, No. 1; which being read, was referred as by the Senate and returned.

Received from the Senate the representation of the Comptroller in favour of Sarah White. Endorsed, read and referred to the Committee of Claims; which being read, was referred as by the Senate and returned.

Received from the Senate the Memorial of William T. Lewis and Alexander Long. Endorsed, read & referred to the Committee of Propositions and Grievances, No. 1; which being read, was referred as by the Senate and returned.

Received from the Senate the report of the Committee on the Memorial of Hance Hamilton, late Sheriff of Guilford County, concurred with by this House; which being read, was concurred with by this House and returned.

Received from the Senate the Petition of John Bradley, John Ingram and George Hooper. Endorsed, read and referred as by the House of Commons.

Received also the resolution of this House for burning the money on the sinking fund Tax, &c., concurred with.

Mr. Stokes, from the Committee to whom was referred the Petitions of Thomas Amis and Francis Perrymant, delivered in the following Report, to-wit:

The Committee to whom the Petition of Thomas Amis and Francis Perrymant were referred, Report,

That it appears to your Committee that Francis Perrymant and Thomas Amis did import into the port of Wilmington Merchandize, the dutys on which were secured to the State, amounting to fifty nine pounds one Shilling and Ten pence. That the said Merchandize was re-shipped for the port of Edenton in the Schooner Patsey & Sally, Joshua Pribble Commander, which Schooner has not since been heard of, and from concurrent circumstances it is to be apprehended that the said master has run off with the said Schooner and Merchandize to one of the Islands in the West Indies.

Therefore recommend that as the said Merchandize has not been consumed in this State, a return of the said duties on the same be made to the Petitioners by the Collector of Port Brunswick; that is to say, to Thomas Amis, Twenty nine pounds Seventeen Shillings and one penny, and to Francis Perrymant Twenty-nine Pounds four Shillings and nine Pence either by discount on any bonds that said Petitioners may have in the Collectors office, or if they have no such bonds lying there, a return be made them as aforesaid in Money. Which is submitted.

J. STOKES, Chairman.

The House taking this report into consideration concurred therewith.

Mr. Hawkins, from the Committee of Propositions and Grievances, delivered in the following Report,

The Committee to whom the Petition of William Morrison, Sheriff of Burke County, was referred, Report,

That by neglect of the Justices not returning to Court the list of the Taxable property in the time limited by law, the said Morrison failed to complete the Collection of the taxes and make settlement at the time prescribed by law, and thereby became liable to a suit. The Committee are therefore of opinion a longer time ought to be allowed him to perfect said Collection, and recommend a resolution to be passed authorising him accordingly. Which is submitted.

WYATT HAWKINS, Chn.

The House taking this report into consideration concurred therewith.

Mr. Hawkins, from the Committee of Propositions and Grievances, delivered in the following Report:

The Committee to whom the Petition of William Henry Batey, Administrator, &c., of James White, late of Bladen County, Deceased, was referred, Report,

That the said James White in his lifetime rented to James Kirkpatrick, Commissioner of the provision Tax for said County, a House and Lott in the Town of Elizabeth, for the sum of Thirty-five pounds per annum. That the said Kirkpatrick as Commissioner aforesaid, occupied said House two years and a half as a public store. It appears from the deposition of Kirkpatrick that he neither accounted with the said White for the rents aforesaid, or debited the State in the settlements of his public accounts; therefore the Committee are of opinion that it ought to be allowed, and recommend that the Comptroller be directed to issue a Certificate to the said Administrator, William Henry Batey, for the Sum of Seventy pounds, the amount of the two years rent. Which is submitted.

WYATT HAWKINS, Chn.

The House taking this report into consideration concurred therewith.

Mr. Hawkins, from the Committee of Propositions and Grievances, delivered in a report, which being read and amended, was agreed to as follows, to-wit:

The Commitee to whom the Memorial of Charles Dicks was referred, praying an allowance to be made him for ten pounds four Shillings current Money, which was burnt on the 7th October last, Report,

That the dwelling house of said Dicks was burnt and therein Ten pounds four Shillings of the circulating currency of the State. That it is the opinion of the Committee he ought to be allowed, and recommend that the Treasurer be directed to pay the aforesaid Sum of Ten pounds and four Shillings to the said Dicks out of the sinking fund.

Which is submitted.

WYATT HAWKINS, Chn.

Mr. Hawkins, from the Committee, delivered in the following Report:

The Committee to whom the Memorial of Samuel Westray Sheriff of Nash county, was referred, Report,

That by a Certificate from the Comptroller it appears the said Westray settled his account as Sheriff aforesaid previous to an allowance made by Court of said County, of insolvencies. The Committee therefore are of opinion that the Comptroller be authorised and directed to credit the account of said Westray to the amount of insolvencies so allowed by the Court. Which is submitted.

WYATT HAWKINS, Chn.

The House taking this report into consideration concurred therewith.

Mr. Hawkins, from the Committee of Propositions and Grievances, delivered in the following Report:

The Committee to whom the Petition of Daniel McCarthy was referred,praying an allowance to be made him in consequence of a wound he received in the late War on board the Bellona Brig of War, in an engagement with the Mary of London, which deprived him of his eyesight, Report,

That as no provision appears to have been made by Law for the maintenance of Seamen disabled on board of private Vessels, and as the Bellona at the time of the engagement aforesaid was neither in service of this State or the United States, they recommend the Petition be rejected. Which is submitted.

WYATT HAWKINS, Chn.

The House taking this report into consideration concurred therewith.

Mr. Hawkins, from the Committee of Propositions and Grievances, delivered in the following Report:

The Committee to whom the Petition of Matthew Lock was referred, Report,

That at a sale of Confiscated property in the District of Salisbury, the said Lock purchased a Tract of Land, sold by the Commissioner as and for four hundred and twenty-five acres, for which he gave his bond agreeably to the direction of the Act under which the sale was made, which Land, so sold, by a fair admeasurement is found to be only three hundred and one acres, and he hath received a grant for the same. The Committee on considering the premises are of opinion, as Mr. Lock purchased and fully paid the consideration Money, two hundred and four pounds, for said Land agreeably to

Law, as and for four hundred and Twenty five acres, that he ought to be allowed in proportion to the deficiency in said land, and recommend that the Treasurer be directed to pay him the sum of Twenty six pounds nineteen shillings and three pence in money, including the interest which he hath paid, and also that the Comptroller be directed to issue a Certificate to said Lock for the sum of fifty three pounds Eighteen Shillings and Six Pence. Which is submitted.

WYATT HAWKINS, Chn.

The House taking this report into consideration concurred therewith.

Mr. Hawkins, from the Committee of Propositions and Grievances, delivered in the following Report:

The Committee to whom the Petition of Thomas Viverett was referred, Report,

That the said Viverett in the year 1787, was appointed a Collector of the public taxes in two districts in Nash County. That by a severe fit of the palsy the said Viverett was prevented from completing the collection, or applying for an allowance of insolvencies until a suit had been instituted, and judgment had for the whole amount of the said taxes. The Committee therefore are of opinion that the Treasurer be directed to credit the judgment so obtained to the full amount of the insolvencies allowed said Viverett by the Court of said County. Which is submitted.

WYATT HAWKINS, Chn.

The House taking this report into consideration concurred therewith.

Mr. Hawkins, from the Committee of Propositions and Grievances, delivered in the following report:

The Committee to whom the Petition of Henry Smaw was referred, Report,

That the said Smaw settled his accounts as Commissioner of Beafort County, with the Comptroller in the year 1782. That by the Comptroller's Certificate it appears at the time of settlement the said Commissioner had on hand five Barrels of Beef and two hundred and fifty pounds weight of Bacon, which he had received orders to retain, by the deputy Commissary Major Mountflorence. That on examining the several vouchers and affidavits adduced to support these facts, it clearly appears the Beef utterly spoilt on his hands;

therefore they are of opinion he ought to be allowed for the same, and the Comptroller directed to credit his account accordingly. The Committee further report on the charge for Bacon, that as the said Smaw failed to establish the destruction thereof, it is their opinion it ought not to be allowed, and recommend that object of the Petition be rejected. Which is submitted.

WYATT HAWKINS, Chn.

The House taking this report into consideration concurred therewith.

Received from the Senate the following Message:

Mr. Speaker & Gentlemen:

The resolution of your house directing the Comptroller relative to certain Muster Rolls by him to be furnished the Commissioners for settling the accounts of this State, we return you concurred with. The one which respected the Muster Rolls in the hands of General Clarke we have rejected, and send you one herewith which we propose in lieu thereof.

The resolution referred to in the above Message relative to the Muster Rolls in the hands of General Clarke, being read, were concurred with by this House and returned.

Resolved, That no bill of a private nature, be received in either House after To-morrow.

Ordered that Mr. Henry Baker have leave to absent himself from the service of this House after to-morrow, and Mr. Edward Williams after Saturday next.

Received from the Senate a Bill to amend an Act intituled "an Act for directing the method of appointing Jurors in all Causes Civil and Criminal," passed at Halifax in the year 1779. Endorsed, read the second time and passed.

Received from the Senate the following Message:

Mr. Speaker & Gentlemen:

The recommendation for Justices and Field Officers by you sent us we herewith return you concurred with, that for the County of Chowan excepted, which we have thought proper to reject.

The House adjourned until To-morrow Morning 9 O'clock.

THURSDAY, 10 December, 1789.

The House met acording to adjournment.

Mr. Stokes moved for leave and presented a Bill to direct the sale of the County buildings in Surry, and to alter the times of holding several County Courts in this State.

Mr. Stokes moved for leave and presented a Bill to amend the several Acts of the General Assembly for establishing a Court of Law and Equity in the County of Davidson, and erecting the district of Mero, and to make provision for the Judge of Mero District.

Mr. Alderson moved for leave and presented a Bill for cutting a Canal from Juniper bay to Mattamuskeet lake in Hyde County: which was read the first time, passed and sent to the Senate.

Mr. Bonds moved for leave and presented the Memorial of John Dew, which being read, was referred to the Committee of Claims and sent to the Senate.

Received from the Senate a Bill to limit the claims against this State, and to prevent allowances in future to be made for Specie Certificates or Paper Money destroyed by accident or otherwise. Endorsed, read the first time and passed. This Bill was read for the first reading in thtis House, passed and returned to the Senate.

The Bill directing the Comptroller to settle such just claims of the Officers and Soldiers of the North Carolina line as were passed by the Commissioners of Army Accounts at Warrenton, in 1786, and to liquidate the Claims of the said line which have not been heretofore settled, was read the first time, passed and sent to the Senate.

Mr. Creecy moved for leave and presented a Bill to alter the time of holding the Court of Pleas and Quarter Sessions in the County of Chowan.

The Bill to repeal part of an Act intituled "an Act for appointing an Agent and holding a treaty with the Cherokee Indians, and for other purposes," was read the first time, passed and sent to the Senate.

The Bill directing at what time the Laws of this State shall be in force and have effect, was read the second time and rejected.

The Bill to alter the present mode of swearing Petit Juries in the Courts of Law in this State, was read the second time, passed and sent to the Senate.

The Bill to repeal part of an Act intituled "an Act for raising a

revenue for the support of Government and to repeal an Act entitled an Act to suppress excessive gaming," passed at Hillsborough in April, in the year 1784, was read the second time, passed and sent to the Senate.

The Bill for the relief of such Persons as may be wounded by the Indians within the District of Mero, and for other purposes was read the second time, passed and sent to the Senate.

The Bill directing the mode of choosing Senators to represent this State in the Congress of the United States, was read the third time, amended, passed and ordered to be Engrossed.

The Bill for the relief of parties in certain Suits depending in the Superior Courts of Law for the district of Morgan, was read the second time and laid over until the next Assembly.

Mr. Stokes moved for leave and presented a Bill to amend and enlarge an Act passed at Tarborough in the Year 1787, entitled "an Act authorizing and impowering County Courts of Pleas and Quarter Sessions to divide and appropriate the real estate of intestates;" which was read the first time, passed and sent to the Senate.

Received from the Senate a Bill to encourage the manufacture of Pot-Ash. Endorsed, read the first time, passed and sent to the Senate.

Mr. Hawkins, from the Committee of Propositions and Grievances, delivered in a report, which being read and amended, was agreed to as follows:

The Committee to whom the Petition of Patrick Travers was referred, Report,

That the said Travers was, by the County Court of Cumberland, appointed Commissioner of the Specific provision tax for said County in the year 1780, and soon after was taken prisoner by the British and held in Captivity until some time in the following year, whereby he was prevented from completing the Collection thereof; in consequence of such failure a suit hath been instituted against him for the whole amount of said Tax; that the said Travers be allowed to collect of all persons chargeable by the Taxable list of said County for that year to the payment of a specific tax, the amount of specifics by them owing, but every person so charged who shall produce a receipt of payment of the Specifics of that year, or shall make oath of the payment of the same to any person, and to whom, such person shall be discharged, and his said receipt or affidavit to

that effect shall operate a discharge for so much to Mr. Travers in the settlement of his accounts, and against a Judgment obtained by the Treasurer against Mr. Travers, but he is not to have credit for any receipts given by himself or his deputies heretofore; and the Treasurer at the same time that he credits Mr. Travers for any receipts given by any other person than himself or his deputies, shall cause such persons as have given the same to be charged with the account as Debtors to the State. All which is submitted.

Received from the Senate the Memorial of John Wright of Anson County; the Memorial of Thomas Horsey and the Memorial of William Wood. Endorsed, read and referred as by the House of Commons.

Received from the Senate the resolution of this House allowing James Glasgow one hundred and ninety Pounds for the depreciation on his Salaries heretofore, and the resolution directing the Secretary to take Copies from the record Book in possession of William Boyd, Concurred with.

Received from the Senate the following Message:

Mr. Speaker & Gentlemen:

We have added to the Committee appointed on the Bill for dividing Hawkins County, Mr. Carter, Mr. Easton and Mr. Blount.

The House adjourned till 4 O'clock p. m.

The House met according to adjournment.

Adjourned till To-morrow Morning 10 o'clock.

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Friday, 11th December, 1789.

The House met according to adjournment.

The Bill to amend and enlarge an Act passed at Hillsborough in April, 1784, intitled "an Act to enable Mary Dowd to sue for and recover to her own use, and the use of her Children by her husband Conner Dowd, all debts due and owing to the said Conner, and all other things in action which the said Conner Dowd might lawfully sue for and recover were he to be a Citizen of this State and intitled to the benefits of its laws," was read the first time, passed and sent to the Senate.

Mr. Stokes presented the Memorial of John Brevard, which being read, was referred to the Committee of Propositions and Grievances, No. 2, and sent to the Senate.

Mr. Cabarrus presented the Petition of Lewis Beard, which being read was referred to the Committee of Propositions & Grievances, No. 2, and sent to the Senate.

Received from the Senate the Petition of Thomas Bloodworth. Endorsed, read and referred on the part of the Senate to Mr. Gillispie, Mr. Hargett and Mr. Winston; which being read was referred on the part of this House to Mr. Jones, Mr. Campbell, Mr. Smith and Mr. Spicer and returned to the Senate.

The Bill to amend an Act, intituled "an Act for directing the method of appointing Jurors in all causes, civil and criminal," passed at Halifax in the year 1779, was read the second time, passed and sent to the Senate.

The Bill to revive and continue in force, so far as respects the Counties of Johnston, Bladen, Robeson and Guilford, an Act passed in the year 1786, intituled "an Act impowering the several County Courts therein mentioned to lay a Tax," &c., was read the third time, passed and sent to the Senate.

The Bill to enable Thomas Callendar, acting Executor of the last Will of Parker Quince, late of New Hanover County, deceased, and the other persons therein named, to make sale of certain lands and Tenements, part of the residuary Estate of the said Parker Quince, was read the second time, passed and sent to the Senate.

The Bill to repeal part of the 20th clause of an Act passed at Hillsborough in the year 1784, intituled "an Act to prevent the exportation of unmerchantable Commodities," was read the second time, passed and sent to the Senate.

The Bill to encourage the manufacture of Pot-Ash, was read the second time, passed and sent to the Senate.

The Bill for granting a longer time for the Surveying of certain Lands, was read the second time, passed and sent to the Senate.

The Bill to incorporate a Society of Persons by the name of Centre Benevolent Society, was read the second time, passed and sent to the Senate.

The Bill to amend an Act passed at Hillsborough in 1784, intituled "an Act for regulating the Pilotage and facilitating the Navagation of Cape Fear River, and to levy a Tax on the Counties, Towns and articles therein mentioned for the purpose of removing obstructions out of the River, for keeping the same open, and ap-

pointing Commissioners for carrying the same into effect," was read the second time, passed and sent to the Senate.

Mr. Grove moved for leave to withdraw for amendment the Bill to alter the mode of appointing Inspectors of Tobacco at Fayetteville Warehouses, &c. Ordered that he have leave.

The Bills to prescribe the mode of paying the Militia officers and Soldiers for their services in an expedition carryed on against the Chickamaugaw Indians by Brigadier General Joseph Martin in the year 1788, was read the third time, amended, passed and sent to the Senate.

Mr. Person, from the Committee to whom was referred the Memorial of Thomas Benbury, Esquire, Collector of Port Roanoke, delivered in a report thereon; which being read, the following resolution was proposed & agreed to in lieu of the report,

Resolved, That the Treasurer be directed not to proceed against Thomas Benbury for the amount of the Warrants he has received, drawn in favour of Nicholas Long, until a suit at Law brought by the said Benbury against said Long shall be decided, & if the said suit shall be decided in favour of said Long, then the Treasurer shall receive the said warrants from said Benbury.

Resolved, That the Judges of the Superior Courts of Law and Equity be allowed Five Pounds each for every Court they shall attend the whole of the term in the year 1790, in addition to their present Salary.

The question being put to agree to this resolution was carried in the affirmative; whereupon the yeas and nays were called for by Mr. Alderson and seconded by Mr. Benjamin Jones, which are as follows, to-wit:

Yeas—Messrs. McKay, McDowall, Senr., Sawyer, Dauge, Womack, Phillips, Dickens, Beck, Dickson, Lassiter, Person, G. Hamilton, Gillispie, Outlaw, Yancey, J. Moore, J. H. Bryan, J. G. Blount, McDowall, Jr., Montgomery, King, Qualls, Brevard, White, Barrot, Pride, Snead, J. Stewart, Perry, Sutton, Armstrong, Mebane, Everagin, Reading, Rhea, E. Jones, A. Phillips, J. A. Campbell, N. Brown, Guion, Hines, Handley, Barnes, Sanders, Lock, Chambers, Lindley, Ellison, T. Blount, Z. Wood, Spiller, Stokes, Mooring, Davie, Sheppard, Lennard, B. Smith, E. Williams.—58.

Nays—Messrs. W. Wood, Grice, Pugh, Duke, M. Bell, J. Hill, Sherrod, Anderson, Alderson, Phifer, Jo. Douglass, Scott, Edwards,

Spruill, W. Hawkins, Blair, Wilson, Porter, Robeson, B. Jones, Peters, Tyson.—22.

Received from the Senate the following Message:

Mr. Speaker & Gentlemen:

We propose that the Bill confirming certain Lands unto Benjamin Williams of Brunswick County, also a grant for Land in favour of James Glasgow, Esquire, be submitted to a joint Committee to report on, and have appointed Mr. Bloodworth, Mr. Hargett and Mr. Reddick.

Ordered that the following Message be sent to the Senate:

Mr. Speaker & Gentlemen:

The Bill confirming Lands unto Benjamin Jones, and the grant of Land in favour of James Glasgow, Esquire, we agree shall be submitted to the consideration of a Committee as by you proposed, and have on our parts appointed Mr. Stokes, Mr. Person, Mr. Campbell, Mr. Mebane and Mr. Brevard a Committee for this purpose.

Received from the Senate the report of the Committee on the Petitions of Thomas Amis and Francis Perymant, concurred with by that House.

Received also the resolution of this House directing the Treasurer to institute Suit against Thomas Benbury as Collector, for the amount of Warrants drawn in favour of Colo. Long, & which were taken up by him as Collector, until a Suit at Law be decided, &c., concurred with.

Received from the Senate a Bill to cede to the United States Certain Lands therein mentioned. Endorsed, read the second time and passed. This Bill was taken up and read for the third reading in this House, amended to read, "a Bill for the purpose of Ceding to the United States of America certain Western Lands therein described," passed and sent to the Senate.

The question being put shall this Bill pass, was carried in the affirmative; whereupon the yeas and nays were called for by Mr. Person & seconded by Mr. Porter, which are as follows:

Yeas—Messrs. May, Grice, Pugh, T. P. Williams, Duke, J. Stewart, Nickson, M. Bell, J. Allen, Sawyer, Dauge, J. Rice, Ewing, J. Hill, E. Phillips, Sherrod, Beck, R. Dickson, Lassiter, Alderson, Outlaw, Creecey, J. Moore, B. Williams, J. H. Bryan, Montgomery, King, Qualls, White, Bonds, J. Stewart, Peete, Perry, Sutton,

Everagin, Stokes, Reading, Drew, Chesson, N. Brown, Guion, T. Johnston, Hines, Spruill, Handley, Love, Barnes, Sanders, Blair, Holland, Wilson, Chambers, Ellison, T. Blount, Peters, Wallace, Mooring, Davie, Sheppard, J. G. Blount, E. Williams, Brevard, J. Johnston, Pride, W. Williams, S. Allen, McLean, Armstrong.—68.

Nays—Messrs. W. Wood, Jo. McDowall, Senr., Dickens, Anderson, J. Stewart, Person, G. Hamilton, Gillispie, Yancey, Mathews, Barrot, Snead, Phifer, Jo. Douglass, Tyson, Mebane, Rhea, A. Phillips, Bethell, Nash, W. Hawkins, Lock, Porter, Robertson, B. Jones, Lindley, Z. Wood, Spiller, J. A. Campbell, McDowall, Jun.—30.

Mr. Davie moved for leave and presented a Supplemental Bill to an Act intituled "an Act concerning old titles of Land, for limitation of actions, and for avoiding Suits at Law;" which was read the first time, passed and sent to the Senate.

Received from the Senate the following Bills. Endorsed, read the first time and passed, to-wit:

A Bill to alter the time of electing the Members of the General Assembly in this State;

A Bill to repeal an Act passed in 1784, entitled "an Act to describe and ascertain such persons who owe allegiance to the State," &c., &c.;

A Bill to amend an Act passed at New Bern in November 1784, intituled "an Act to explain, amend and supply the deficiencies of an Act passed at Hillsborough intitled an Act to regulate the descent of real estates, to do away entails," &c., &c.;

A Bill to prevent the recovery of interest on Bonds and notes as therein described;

A Bill the better to regulate the Inspection of Tobacco;

A Bill to allow the Judge of Mero District a further sum as a compensation for his travelling to the said Mero District thro' the wilderness.

Received also the following Bills. Endorsed, read the second time and passed, to-wit:

A Bill for the more easy redemption of mortgages;

A Bill directing the collectors of imposts and other duties to collect the same for the use of this State until the Congress of the United States shall make provision for that purpose;

A Bill for appointing Commissioners to extend the Boundary line between this State and the State of South Carolina;

A Bill making process in equity in Certain cases more effectual.

Received also a Bill granting the inhabitants of Tyrrell County a privilege of holding separate Elections for members of Assembly. Endorsed, read the third time & passed.

Ordered that Mr. Chesson and Mr. Guion have leave to absent themselves from the service of this House after To-morrow.

The House adjourned till 4 O'clock P. M.

Met according to adjournment.

Mr. Mebane moved for leave and presented a Bill to impower Alice Ross and John Allison to sell and dispose of so much of the real estate of Andrew Ross, deceased, as will be sufficient to satisfy a debt due to the State for the purchase of certain Confiscated Lands, and for directing the Treasurer to stop the prosecution of the Suit instituted against John Taylor, Esquire, security for the said Andrew Ross; which was read the first time, passed and sent to the Senate.

Received from the Senate the Memorial of Joseph Leech. Endorsed, read & referred to the Committee on the Memorial of N. Eveleigh; which being read, was referred as by the Senate and returned.

The Bill granting to the inhabitants of Tyrrell County a privilege of holding separate Elections for Members of Assembly, was read the third time, passed and ordered to be Engrossed.

Received from the Senate a Bill to release Joseph Stacy of Montgomery County, from the forfeiture of a recognizance, and a Bill to repeal the 65 Section of an Act passed at New Bern in the year 1777 intituled "an Act for establishing Courts of Law, and for regulating the proceedings therein." Endorsed, read the second time and passed.

Received also a Bill to enable William Beaty, Administrator of the estate of James White, late of Bladen County, to sell certain Lands, &c. Endorsed, read the first time and passed.

The House adjourned until To-morrow Morning 9 O'clock.

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Saturday, 12 December, 1789.

The House met according to Adjournment.

Ordered that Mr. Dickens and Mr. Womack have leave to absent themselves from the Service of this House.

Mr. Thomas Blount moved for leave and presented a Bill for the

relief of the Inhabitants on the South side of French Broad River; which was read the first time, passed and sent to the Senate.

Mr. Davie, from the Committee of Finance, No. 1, delivered in the following Report:

Your Committee to whom were referred the letters and statements of Hugh Williamson and Abishai Thomas, Esquires, Agents to settle the accounts of this State with the United States, beg leave to Report,

That the agents have hitherto been employed in settling the accounts of the officers and privates of the Continental line of this State with the Commissioner of Army accounts. In their progress they have discovered that a great proportion of the charges which have been raised or ought to be raised against the United States are not vouched. There are no Musters of two whole battalions of nine Months' men, nor of many other officers and privates who undoubtedly served many years. They also discover that many payments which have been made by this State cannot be allowed by the Commissioner of the United States as such payments are not supported by any Act of Congress.

Many particulars of this case are mentioned in a letter from the agents that is herewith submitted. Your Committee are of the opinion that there are documents in the hands of certain late officers of the Continental line, or their Executors, or among the papers of the late Governors of this State, by which the greater part of our charges may be substantiated; wherefore they submit the following Resolve in addition to those already passed on this subject.

Resolved, That the Comptroller be instructed to apply to the Executors of the late Abner Nash and Richard Caswell, Esquires, for the letters and correspondence in their possession relating to the requisitions made by the commanding officers of the Southern department during the late War, and that he shall procure and forward to the Agents of this State from time to time such papers and other Testimony as they may require to support the accounts of this State against the United States. All which is submitted.

WILLIAM R. DAVIE, Chn.

The House taking this report into consideration, Concurred therewith.

Mr. Davie from the Committee of Finance, No. 7, delivered in the following Report:

The Committee to whom was referred that part of the Treasurer's letter respecting the recognizances of Francis Brice and Daniel McNeil and their securities, Report,

That the said recognizances were entered into in consequence of a judgment of the Superior Court of Law of the district of Wilmington at the December term of that Court 1785, with a condition that the principals should depart the State within sixty days. Your Committee are of opinion that the said Judgment was incompatible with the principles of the Constitution and unwarranted by any law of this State, and therefore recommend that the said Francis and Daniel, with their Securities, be discharged from their recognizances taken in consequence of the Judgment aforesaid, and should any forfeiture be incurred in consequence thereof, that the same be remitted and done away. All which is submitted.

WILLIAM R. DAVIE, Chn.

The House taking this report into consideration, concurred therewith.

Resolved, That Obediah Martin Benge be allowed the sum of Twenty pounds for his trouble and expence in travelling to Edenton for a Commission for John Stokes, Esquire, as a Judge of the Superior Court of Law and Equity for Morgan District, and that the Treasurer pay the same, for which he shall be allowed in the settlements of his accounts.

Resolved, That the Clerks of the General Assembly be directed to furnish the Comptroller and Doctor Williamson with all the resolutions passed at this Assembly concerning any business to be transacted by either of them.

Resolved also, That the Clerk of this House be directed to contract with Messrs. Sibley and Howard for the printing of Eighty Copies of the Act for procuring Testimony in Support of the Military Claims of this State against the United States, two hundred Copies of the Act for directing the manner of electing representatives to represent this State in Congress, three hundred Certificates of allowances for Members attendance at this Assembly, and two hundred Copies of the Lists of balances transmitted to the Assembly by the Treasurer and Comptroller, and three hundred Copies of the lists of

all the Bills passed into Laws at the present Session, and that the printing of the lists of balances be under the direction of the Treasurer.

Received from the Senate a Bill to annex the County of Anson to Fayetteville District, and to regulate the appointment of Jurors to Fayetteville Superior Court. Endorsed, read the second time and passed.

A Bill to emancipate certain Negroes therein mentioned. Endorsed, read the second time and passed.

A Bill to establish the title of certain Lands therein mentioned. Endorsed, read the first time and passed.

A Bill to impower the Wardens of the poor for the Counties of Franklin, Orange and Surry to build a House or Houses for the reception of the poor, and for amending Wilmington Town Law. Endorsed, read the third time and passed.

The Bill providing means for the payment of the domestic debt, for appropriating certain monies therein mentioned, and to amend an Act passed at the last Session of the General Assembly intitled "an Act for levying a tax for the support of Government, and for the redemption of old paper Currency, Continental Money, Specie and other Certificates," was read the third time, amended, passed and sent to the Senate.

Mr. Person, from the Committee to whom was referred the Letter from the Governor of Virginia, on the subject of the Boundary between this State and Virginia, delivered in the following Report:

Your Committee to whom was referred the letter from His Excellency, the Governor of Virginia, on the subject of establishing the boundaries of this State and Virginia, beg leave to report:

That it is proposed on the part of Virginia, that the line commonly called Walker's line be established as the boundary between us. Should this proposal be not acceptable to this State, they will then appoint Commissioners to meet any persons who may be appointed on the part of North Carolina empowered to confer on the propriety of establishing Walker's or Henderson's line and to report to the Legislatures of their respective States their proceedings. On examining the manner in which those lines were run by the Commissioners in the year 1780, they find that the Commissioners begun and extended the line together about forty Miles when some difference took place, and the Commissioners on the part of this State run a parallel line

two miles North of the other line for about half the distance, and extended the line no farther. Mr. Walker and the other Commissioner from Virginia, extended the line to Tennessee River and marked its termination on the Mississippi by observations, leaving the line from Tennessee to that place unsurveyed. As the difference between the said lines would only be two Miles, running most of the distance through a Mountainous, barren Country, and as they have great reason to believe, from the information of General Smith, that the line commonly called Walker's line is the true line, your Committee are of opinion that the object is not worth the expence of sending Commissioners to confer on the propriety of establishing Henderson's line in preference to that or any other, and do recommend that a Law be passed confirming and establishing the line usually called Walker's line as the boundary between this State and the State of Virginia, with a reservation in favour of the eldest Grants for either State in dividing the rights of individual claimants in the Tract between the two lines commonly called Walker's and Henderson's lines. All which is submitted.

THOMAS PERSON, Chn.

The House taking this report into consideration, concurred therewith.

Resolved, That the Speakers of the two Houses, inform His Excellency, the Governor of Virginia, that the business of his Letter is now under the consideration of the Legislature, and that the Executive of this State will inform him of the measures they may think proper to adopt respecting the same.

Resolved, That the Treasurer of the State pay unto Joseph LeBlang, express from the Governor of Virginia, Six Pounds to pay off the expences of the said LeBlang during his attendance upon this House.

Mr. Stokes presented the representation of the Treasurer on the subject of Interest required by Lewis Baird on Certificates by him owing to the Treasury; which being read, was referred to the Committee of Propositions and Grievances, No. 1, and sent to the Senate.

The Bill the better to regulate the Inspection of Tobacco, was read the second time, amended, passed, and sent to the Senate.

Mr. Stokes, from the Committee appointed to examine the books and Report of the Commissioners appointed to receive of the Comp-

troller the Certificates, Warrants, &c., lodged in his office, and punch the same, delivered in the following Report:

The Committee to whom was referred the Report of Messrs. Hunt, Mebane, McCawley and Watters, who were appointed by the last General Assembly to receive from the Comptroller and punch the Certificates, Warrants, Loan office Certificates and State old Dollar bills which were in his office, Report,

That it appears to your Committee that the above named Gentlemen did receive from the Comptroller and punch as follows, vizt:

| | | | |
|---|---|---|---|
| In Specie Certificates to the amount of.....£ | 791,763 | 13 | 10 |
| The Interest on said Certificates is..... | 63,499 | 12 | 5 |
| The amount of principal and Interest of Specie Certificates redeemed and sunk by this State is | 855,763 | 6 | 3 |
| In Currency Certificates to the amount of.... | 18,701,559 | 2 | 1 |
| In Government Warrants and other Cash Claims to the amount of ..... | 285,898 | 13 | 9 |
| In Loan office Certificates to the amount of.... | 113,636 | 00 | 00 |
| and in State old Dollars the sum of.....$ | 2,067,242 | 00 | 00 |

Your Committee can with pleasure report that the above-named Gentlemen have been remarkably diligent and correct in discharging the trust reposed in them by the Legislature. It also appears to your Committee that Francis Child, the Comptroller, has been very correct in the entries and statements made by him, and that as a compensation for his extraordinary trouble in attending to the business of punching Certificates, &c., your Committee recommend that he be allowed the sum of Twenty pounds, and have the thanks of the General Assembly.

Your Committee also recommend an allowance of five pounds to be made to Mr. John Taylor of Hillsborough, for the use of a room, furnishing candles and firewood for the above named Commissioners. All which is submitted.

J. STOKES, Chn.

The House taking this report into consideration, concurred therewith.

The Bill to regulate the proceedings of Elections in certain instances in the Borough Towns of this State, was read the second time and rejected.

The Bill directing the Collectors of imposts and other duties to col-

lect the same for the use of this State, until the Congress of the United States shall make provision for that purpose, was read the third time, passed and sent to the Senate.

The Bill for the more easy redemption of Mortgages, was read the third time, passed and sent to the Senate.

Received from the Senate the report of the Committee on the Governor of Virginia's letter on the subject of the boundary line between this State and Virginia; the Resolution of this House directing the Speakers of the two houses to write to the Governor on the subject of the boundary, and the resolution allowing Joseph LeBlang Six pounds, concurred with by that House.

Mr. Hamilton of Edenton, presented the following protest against the resolution of this House of the 5th Inst., removing forever Henry Finch of Johnston County, from the office of a Justice of the Peace, to-wit.:

From the duty which we owe to ourselves and our Constitution, we protest against the above resolve, as we conceive it to be unconstitutional to injure any person however base or infamous, much less a public officer, in the least degree without a fair tryal of his Country. And as we conceive the Assembly have merely a power to impeach, not to condemn without even a hearing, we deem the resolution to be a violation of the principles of justice and sound policy.

J. HAMILTON,
EDWD. JONES,
THO. READING,
J. G. BLOUNT,
MAX. CHAMBERS,
THOMAS PERSON,
W. B. GROVE.

Ordered that Mr. Haywood, the assistant Clerk of this House, have leave to absent himself from the service thereof after Wednesday next.

Ordered that Mr. Bostick have leave to absent himself from the service of this House; Mr. Norfleet after Wednesday, and Mr. John Campbell after Saturday next.

The House Adjourned till Monday next 9 O'clock.

MONDAY, 14 December, 1789.

The House met according to Adjournment.

Mr. Mebane moved for leave and presented a Bill to alter the names of Nancy, John and Keziah Lytle, children of Sarah Nichols, formerly Sarah Lytle of the Town of Hillsborough, which was read the first time, passed and sent to the Senate.

On reading the Petition of James English and Jeremiah Early & Co., Resolved, that Jeremiah Early and Company shall have full power and authority in Law to make a Dam at the tumbling Shoal on the second Broad River in the County of Rutherford, for the express purpose of erecting Ironworks, Furnace, &c., and that they have until the year 1792 an exemption from the payment of the Tax on two thousand Acres of Land, which they entered agreeable to a resolution passed at Tarborough in the year 1787, provided said Works are completed by that period.

Mr. Rhea presented the Petition of William Armstrong, which being read, was referred to the Committee of Propositions and Grievances, No. 1, and sent to the Senate.

Mr. Phillips presented the Petition and Memorial of William Blackledge, which being read, was referred to the Sub Committee of Finance, No. 2, and sent to the Senate.

Mr. Person presented the Memorial of Roger Jones, which being read, was referred to the Committee of Propositions and Grievances, No. 2, and sent to the Senate.

Received from the Senate the Memorial of Francis Child. Endorsed, read and referred to the Committee of Propositions and Grievances, No. 1; which being read, was referred as by the Senate and returned.

The Bill to vest an indefeasible right of inheritance in Charles Alley and Prudence Oggs, the surviving natural children of the late John Oggs of the County of Pasquotank, of such property as was bequeathed to them and their deceased brother Jesse Oggs, was read the third time, passed and sent to the Senate.

Received from the Senate the Resolution of this House directing the Clerks of the Assembly to furnish Doctor Williamson and the Comptroller with certain resolutions, and the resolution directing the Clerk of this House to contract with Messrs. Sibley & Howard for printing Copies of Certain Laws, &c., concurred with by that House.

Received from the Senate the representation of the Treasurer on the subject of Interest required by Mr. Lewis Baird on his settlement, &c. Endorsed, read & referred as by the Commons.

The Memorial of James Thackston was read and referred to the Committee of Propositions and Grievances, No. 1, and sent to the Senate.

Ordered that the following Message be sent to the Senate:

Mr. Speaker & Gentlemen:

We have added Mr. Peete, Mr. Womack and Mr. Bonds to the Committee of Claims.

Received from the Senate the following Petitions, &c. Endorsed, read and referred as by the Commons, to-wit.:

The Memorial of Robert Martin;
The Memorial of Thomas Jones;
The Petition and Memorial of William Gilbert;
The Petition of John McNeill;
The Petition of Lewis Beard;
The Petition of Robert Hays;
The Memorial of Thomas Haslin;
The Memorial of John Brevard;
The Petition of William Armstrong;
The Memorial of Roger Jones;
The Representation of Richard Blackledge;
The Petition of James Thackston.

Received also the following Reports of Committees. Endorsed, read and concurred with, to-wit:

On the Petition of Samuel Westray;
On the Petition of Henry Smaw;
On the Petition of sundry inhabitants of Salisbury District;
On the Petition of Daniel McCarthey;
On the Petition of Thomas Viverett;
On the Petition of Matthew Lock;
On the Petition of William H. Beaty, Administrator, &c.;
On the Memorial of Charles Dicks, and
On the Petition of William Morrison.

Received from the Senate the Resolution of this House in favour of English, Early & Co., concurred with.

Received from the Senate the Report of the Committee on the let-

ter of Hugh Williamson and Abishai Thomas, Agents of this State, &c.; the Report of the Committee on the recognizances of Brice and McNeill, and the report of the Committee on the Report of the Commissioners appointed by the last General Assembly to receive of the Comptroller the Certificates, &c., in his office and punch the same, Concurred with by that House.

Received also the Memorial of John Dew. Endorsed, read and referred as by the House of Commons.

Ordered that Mr. Sherrod and Mr. Scott have leave to absent themselves from the service of this House, & Mr. Edward Jones also, after Saturday next.

The Bill directing the manner of electing Representatives to represent this State in Congress, was read the third time, amended, passed and sent to the Senate.

Received from the Senate the following Bills. Endorsed, read the first time & passed.

A Bill to amend and enlarge an Act passed at Hillsborough in April 1784, intituled "an Act to enable Mary Dowd to sue for and recover to her own use and the use of her children by her husband Conner Dowd, all debts due and owing to the said Conner, &c.;

A Bill for the relief of the Inhabitants on the South side of French Broad River;

A Bill to amend an Act to provide for the deficiencies of the revenue Laws of this State;

A Bill to impower Alice Ross and John Allison to sell & dispose of so much of the real estate of Andrew Ross, deceased, as will be sufficient to satisfy a debt due to the State for the purchase of certain confiscated Lands, &c.;

A Bill to alter the names of John, Nancy and Keziah Lytle, Children of Sarah Nichols, formerly Sarah Lytle of the Town of Hillsrorough;

A Bill for cutting a Navigable Canal from the waters of Juniper Bay to Mattamuskeet lake in Hyde County;

A Bill to amend and enlarge an Act passed at Tarborough in the year 1787, entituled "an Act authorizing and impowering the County Courts of Pleas and quarter Sessions to divide and appropriate the real estates of intestates;"

A Bill impowering the Superior Courts of Law and Equity and the Secretary of State to correct certain Patents and Grants therein

described, when there have been errors by the Surveyor in making returns, &c.;

A Bill for allowing a further time for the Securities of James Williams, Esqr., to make payment for certain Lands therein mentioned;

A Supplemental Bill to the Act intitled "an Act concerning old titles of Land for limitations of actions, and for avoiding Suits at Law."

Received also the following Bills. Endorsed, read the second time and passed, to-wit:

A Bill to vest in Jeremiah and Robert Field an indefeasible right to such property as was granted to them by their Father in the year 1776;

A Bill to impower certain persons therein named to receive, sue for and recover all such bequests, donations, benefactions or other things as have heretofore been bequeathed, given or made by any person whatsoever, for the use of the Congregation or Society of the Episcopal Communion of New Bern;

A Bill to annex part of Burke County to the County of Wilkes;

A Bill directing the sale of the Salt Licks and Springs within the District of Mero.

Ordered that the following Message be sent to the Senate:

Mr. Speaker & Gentlemen:

We propose that the Clerks of the two Houses make up the estimate of allowance to the Members to include Sunday next at the rate of Twenty Shillings for each Day's attendance, and the same Sum for every Thirty Miles travelling to, and returning from the Assembly.

The House adjeurnod until 4 O'clock p. m.

Met according to adjournment.

Mr. Holland presented the Petition of Janet Burges, which being read, was referred to the Committee appointed on the Memorial of Lewis McPherson and sent to the Senate.

Received from the Senate the Petition of Thomas Owen. Endorsed, read and referred to the Committee of Propositions and Grievances, No. 1, which being read, was referred as by the Senate and returned.

Received from the Senate the resignation of sundry the field of-

ficers of Brunswick County, and a recommendation of the said officers for the appointment of Benjamin Smith, Esquire, as Colo. of the said County. Endorsed, read and referred to the Committee of Propositions and Grievances No. 1, which being read, was agreed to by this House and returned.

The Petition of Ann Rowland was read and referred to the Committee of Propositions and Grievances, No. 1, and sent to the Senate.

Resolved, That this House will not receive any more Bills, Petitions or remonstrances after this evening, of which resolve all persons are to take notice.

Mr. Person moved for leave and presented a Bill directing Sheriffs how to proceed in levying executions to them issued and in the disposal of Goods and Chattels, Lands and Tenements taken in execution, which was read the first time, passed and sent to the Senate.

Received from the Senate the Petition of Winston Caswell, Executor of the late Richard Caswell. Endorsed, read and referred to the Committee on the Memorial of N. Eveleigh; which being read, was referred as by the Senate and returned.

Mr. Thomas moved for leave to withdraw for amendment the Bill for the relief of the Inhabitants on the South side of French Broad River. Ordered that he have leave.

Received from the Senate the Memorial of Patrick Travers, and the Petition of Ann Meadows. Endorsed, read and referred to the Committee of Propositions and Grievances, No. 1; which being read were referred as by the Senate and returned.

Received also the Petition of Henry Emanuel Lutterloch. Endorsed, read and referred to the Committee of Propositions and Grievances, No. 1; which being read, was rejected.

Mr. Phillips presented the Petition of Richard Blackledge, executor of Richard Blackledge, decd.; which being read, was referred to the Committee of Propositions and Grievances, No. 1, and sent to the Senate.

Mr. Wilson moved for leave and presented a Bill for opening a waggon Road from Johnston Station in Hawkins County, to Bledsoe Station in Sumner County.

Resolved, That James Mulloy be allowed the Sum of fifteen pounds in consideration of his services going for Judge McNary's

Commission in April, 1788, from Salisbury to New Bern and Edenton.

Received from the Senate the Petition of Richard Blackledge, as Executor, &c., and the Petition of Jennet Burges. Endorsed, read and referred as by the Commons.

Received from the Senate a Bill to amend an Act intituled "an Act to encourage the building of public Mills and directing the duty of Millers," passed in the year 1777. Endorsed, read the first time and passed.

A Bill to add part of Bladen County to Cumberland, and a Bill to repeal part of an Act passed at New Bern intituled "an Act to divide the District of Morgan." Endorsed, read the second time and passed.

A Bill to amend an Act intituled "an Act to prevent the exportation of unmerchantable Commodities," and a Bill to authorize and impower James Billingly to execute a Deed or Deeds of Conveyance agreeable to a power of Attorney, and the last Will and Testament of William Rea, late of Guilford County, deceased. Endorsed, read the third time and passed.

Received from the Senate the following Reports Concurred with by that House, which being read, were concurred with by this House and returned, to-wit:

On the Petition of Robert Gilkey;
On the Memorial of James Newland;
On the Petition of the Inhabitants of Tyrrell County;
On the Petition of Wilson Taylor;
On the Petition of Robert Rayford;
On the Petition of the Inhabitants of Sullivan and Washington;
On the Memorial of Sundry Inhabitants of Montgomery, Anson and Richmond Counties;
On the Certificate of George Doherty;
On the Petition of William Meredith;
On the Petition of James Spiller;
On the Petition of William Houston, and
On the Memorial of William H. Beaty.

The Committee to whom was referred the Petition of the Inhabitants of Mecklenburg County, Report:

That having duly considered the prayer of the said Inhabitants

are of opinion that the said County is too small for division, and that the said Petition should be rejected. All which is submitted.

R. CLINTON, Chn.

The House taking this Report into consideration, concurred therewith.

Mr. Mebane, from the Committee to whom the Memorial of Nancy Horah was referred, Reported,

That from the oral Testimony of several Gentlemen of your Honorable Body, it appears to your Committee that Henry Horah, late Husband of the Memorialist, did in his lifetime purchase at a Commissioner's sale of confiscated property two hundred acres of land lying on the Yadkin River, for the sum of three hundred and Eighteen pounds, one-third of said sum to be paid in Money, the other two-thirds in Certificates.

That the said Henry Horah did before his decease, pay into the Treasury the sum of one hundred and six pounds in Certificates and give his bond for the balance of two hundred and Twelve pounds, which still remains due to the State, and was not at the time of his decease possessed of property sufficient to discharge the said debt. That he left behind a distressed widow and orphan whose distresses have been greatly increased by the Treasurer's instituting suit for the recovery of said Money, which if prosecuted will finally take away the widow and Orphan's small pittance, and oblige them to depend entirely on the charity of the County for means of subsistence.

Your Committee under the circumstances and the dictates of Humanity are therefore induced to recommend to the General Assembly to pass a resolve directing the Treasurer to dismiss the suit, pay the Cost and return to the Widow her deceased husband's Bond. It appearing that the title of the said land is still vested in the State, and the said Widow for herself and orphan being willing to relinquish all right of claim they may have to the said land, and to give up the Certificates already paid into the Treasury by her deceased husband as a compensation for the Costs of suit and the trouble the public has been at in prosecuting the same. All which is submitted.

ALEX. MEBANE, Chn.

The House taking this report into consideration, concurred therewith.

Mr. Hawkins, from the Committee of Propositions and Grievances,

delivered in the report on the Petition of John Murphey, which being read, was rejected.

Mr. Hawkins, from the Committee of Propositions and Grievances, delivered in the following Report:

The Committee to whom the Petition of John Shankle, of Montgomery County, was referred, report,

That they have examined the said Petition, and are of opinion the said Shankle has his remedy at common law; therefore recommend the petition be rejected. Which is submitted.

WYATT HAWKINS, Chn.

The House taking this report into consideration, concurred therewith.

Mr. Hawkins, from the Committee of Propositions and Grievances, delivered in the following Report:

The Committee to whom the Petition of Dempsey Moore was referred, Report,

That at the Fayetteville Session of Assembly in the year 1786, the said Moore was appointed first Major of the Hillsborough Regiment of Cavalry under the Command of Howell Lewis.

That in consequence of said Lewis' resignation and the appointment of Alexander Mebane at the last Assembly to command the said regiment, the said Moore conceives his right of seniority was not particularly attended to. The Committee having considered the premises are of opinion that Colo. Mebane's appointment was legal, therefore recommend that the Petition be rejected. All which is submitted.

WYATT HAWKINS, Chn.

The House taking this report into consideration, Concurred therewith.

Mr. Hawkins, from the Committee of Propositions and Grievances, delivered in a report on the Memorial of William Tyrril Lewis and Alexander Long, which being read, was laid over until the next Assembly.

Mr. Hawkins, from the Committee of Propositions and Grievances, delivered in the following Report:

The Committee to whom the Memorial of John Eaton, administrator of the Goods and Chattels of Pinkethman Eaton, was referred, report,

That some time in the year 1781, the said Pinkethman, then a Major in the Continental line of this State, was ordered to the Southward on command, and to proceed with dispatch purchased a Horse conditionally of Doctor Charles Pasture, and contracted to give, if the said horse was not returned in good health, twelve thousand pounds weight of Halifax inspected Tobacco. That soon after the Major arrived at Augusta, he was there killed in a skirmish with the enemy and the horse taken into the Continental service; and not being returned agreeably to contract, the said Administrator, John Eaton, has been compelled to pay the sum of one hundred and twenty pounds to Doctor Pasteur in actual money.

The impressment of said horse not being sufficiently supported by testimony, or a certificate from the officer who impressed him, induces the Committee to recommend that the Memorial be rejected, Which is submitted.

WYATT HAWKINS, Chair.

The House taking this report into consideration concurred therewith.

Mr. Hawkins, from the Committee of Propositions and Grievances, delivered in the following report:

The Committee to whom the petition of John Elliotte was referred, report,

That the said Elliotte was a Collector of the public tax in one of the districts of Mecklenburg County in the year 1787, and by accident lost out of his poccket thirty pounds of the money he had so collected. The Committee are of opinion the said Elliotte ought not to be allowed in his settlement for the money so lost by his carelessness, therefore recommend the petition be rejected.

Which is submitted.

WYATT HAWKINS, Chair.

The House taking this report into consideration, concurred therewith.

Mr. Stokes, from the Committee appointed to consider of & report on the Memorial of Mrs. Simpson, delivered in the following report:

That the prayer of her Memorial is inadmissable, and if granted

would be an undue interference of the legislative with the Judicial powers of the State.

Which is submitted.

J. STOKES, Chair.

The House taking this report into consideration, concurred therewith.

Mr. Hawkins, from the Committee of Propositions and Grievances, delivered in the following report:

The Committee to whom the Petition of John Armstrong, one of the Collectors of the Public Taxes in the County of Orange for the years 1787 & 1788, praying an allowance for insolvents for the aforesaid years, which he failed to apply to the Court of said County for in the time limited by Law, Report,

That as Mr. Armstrong adduced no satisfactory testimony or vouchers to establish the claim, the Committee are of opinion, & recommend that the Petition be rejected.

Which is submitted.

WYATT HAWKINS, Chair.

The House taking this report into consideration concurred therewith.

Mr. Hawkins, from the Committee of Propositions and Grievances, delivered in the following Report:

The Committee to whom the Memorial of Cosimo Medici was referred, praying an allowance of Interest on a Claim for a Boat burnt at Halifax by order of General Jones, and for which he received a Certificate from the Comptroller, report,

That on considering the premises they are of opinion it is not just or equitable to grant *interest* on any claim previous to the liquidation thereof, therefore they recommend that the Memorial be rejected.

Which is submitted.

WYATT HAWKINS, Chair.

The House taking this report into consideration concurred therewith.

Received from the Senate the report of the Committee on the Petition of Peter Munroe. Endorsed, read and concurred with; which being read, was concurred with by this House and returned.

Ordered that Mr. Rice and Mr. Drew have leave to absent them-

selves from the service of this House; that Mr. Ben. Smith also have leave after Saturday.

The House adjourned until To-morrow Morning 9 O'clock.

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Tuesday, 15 December, 1786.

The House met according to Adjournment.

The Bill directing the sale of the County buildings in Surry, and to alter the times of holding several County Courts in this State was read the first time, passed and sent to the Senate.

The Bill making process in Equity in certain cases more effectual was read the second time, passed and sent to the Senate.

The Bill impowering the Superior Courts of Law and Equity and the Secretary of State, to correct certain Patents and Grants therein described, when there have been errors by the Surveyor in making the returns or by the Secretary in issuing the same, and impowering the County Courts and registers to correct errors in like manner, was read the first time, passed and sent to the Senate.

The Bill to repeal the sixty-fifth section of an Act passed at New Bern in the year 1777, intituled, "an Act for establishing Courts of Law, and for regulating the proceedings therein," was read the third time, passed and sent to the Senate.

The Supplemental Bill to the Act intituled "an Act concerning old titles of Land, for limitation of Actions and for avoiding suits at Law," was read the second time, amended, passed and sent to the Senate.

Received from the Senate a Bill directing Sheriffs how to proceed in levying executions to them issued, and in the disposal of Goods and Chattels, Lands and Tenements taken on execution. Endorsed, read the first time & passed.

The Bill directing the manner of issuing process in sundry cases arising in the Superior Courts of Law and Courts of Equity; direct the manner of proceeding on assigned or indorsed bills, bonds and notes under seal; To direct how joint obligations shall survive, and to repeal an Act calling forth the Militia to assist in executing civil process, was read the third time, amended, passed and sent to the Senate.

Received from the Senate the following Message:

Mr. Speaker & Gentlemen:

It having been made known to this House that the official information intended for the Honorable Alexander Martin, Esquire, relative to the election of Governor has failed to be received. We now propose that two Gentlemen from each house be appointed to wait on and give to Mr. Martin this information, he being in Town for which we have appointed Mr. Thomas Brown and Mr. Galloway.

Ordered that the following Message be sent to the Senate:

Mr. Speaker & Gentlemen:

We agree to the proposition of your House for giving information to the Honbl. Alexander Martin, Esquire, of the appointment of a Governor, and have appointed Mr. J. G. Blount & Mr. Person to act with the Gentlemen by you appointed for this purpose.

Received from the Senate a Bill for raising a fund for erecting the Buildings, and for the support of the University of North Carolina. Endorsed, read the first time and passed. This Bill was read for the first reading in this House, passed and returned to the Senate.

Received from the Senate a resolution of that House directing the Treasurer to pay Messrs. Williamson & Bachop the Sum of seventeen pounds Ten Shillings; which being read, was concurred with and returned.

The Bill for appointing Commissioners to extend the Boundary line between this State and the State of South Carolina, was read the second time, passed and sent to the Senate.

Resolved, that the Clerk of the Senate shall transmit, as soon as possible after the rising of the present General Assembly, a Copy of the Act intitled "an Act directing the Collectors of imposts and other duties, to collect the same for the use of this State until the Congress of the United States shall make provision for the purpose," to each of the Collectors of imposts in this State.

Resolved, That the Clerk of this House shall transmit to the printer of the State Gazette such part of the report of the Committee to whom was referred the Books and report of the Commissioners for punching the certificates and other papers in the Comptroller's office, as may relate to the public debt, that the same may be published.

The resignation of Mark Myatt of his office as a Justice of the

Peace for Wake County, was read, accepted of by this House and sent to the Senate.

The House adjourned until 4 O'clock P. M.

Met according to adjournment.

Received from the Senate the resignation of Stephen Pace as a Justice of the Peace; which being read, was accepted by this House and returned to the Senate.

Ordered that Mr. Mebane have leave to absent himself from the service of this House, and that Mr. Creecy also have leave to absent himself after Saturday.

Received from the Senate the Memorial of John Herritage. Endorsed, read and referred on the part of the Senate to Mr. Payne, Mr. Gillispie and Mr. Hargett; which being read was referred on the part of this House to Mr. Snead, Mr. Brown, Mr. Chambers and Mr. Hill and returned to the Senate.

Whereas, the County Court of Burke did appoint William Davidson one of the Justices of the Peace for Burke to take in the taxable property in that part of Rutherford County that lies over the Mountains, contrary to the true intent and meaning of an Act of the General Assembly passed at Fayetteville, 1788, intituled "an Act to establish the dividing line between the Counties of Burke and Rutherford, whereby the County of Rutherford has been deprived of the County Tax arising from that part of the County, for remedy whereof,

Resolved, That the Sheriff of Burke County is hereby directed and required to settle with the Clerk of Rutherford Court for all County Tax arising from the return made by William Davidson, South of the above line in the year 1789, his own Commissions excepted, and the said William Davidson is hereby indemnified for acting as a Justice of the Peace for Burke County within the limits of Rutherford.

Mr. Thomas Blount who had leave to withdraw for amendment the Bill for the relief of the Inhabitants on the South side of French Broad River, delivered in the bill with the amendments; whereupon, the Bill was taken up & read for the second reading in this House and rejected.

The question being put shall this bill pass, was negatived; where-

upon, the yeas and nays were required by Mr. Rhea which are as follows:

Yeas—Messrs. Cowan, Sawyer, Ewing, Phillips, Dickens, Lassiter, Person, King, Brevard, White, Peete, Rhea, E. Jones, Bethell, T. Johnston, Love, W. Hawkins, Blair, Holland, Wilson, T. Blount, Peters, Mooring, Davie, Sheppard, J. C. Blount, J. A. Campbell, McDowall, Jr., E. Hamilton.—29.

Nays—Messrs. J. Stewart, S. Allen, Perry, Tyson, Mebane, Everagin, Drew, A. Phillips, J. Brown, Spruill, Handley, Sanders, Lock, Porter, Robeson, B. Jones, Chambers, J. Brown, Lindley, Elison, Z. Wood, Spiller, Wood, May, Grice, Pugh, McKay, McDowall, Dauge, Wommack, J. Hill, Beck, Anderson, Alderson, G. Hamilton, Gillispie, Yancey, Creecy, J. H. Bryan, Matthews, Qualls, J. Johnston, Barrot, Spicer, Bonds, Snead.—46.

Ordered that Mr. Beck have leave to absent himself from the service of this House after Saturday next.

Mr. Stokes, from the Committee to whom was referred the Memorial of Benjamin Jones entry taker of Camden County, Reported,

That the Memorialist is intitled to a Commission of two and an half per cent. upon his account of four thousand Six hundred and ninety six pounds, Sixteen Shillings in Specie Certificates, which he settled with the Public Treasurer the 16th of May 1786.

Which is submitted.

J. STOKES, Chn.

The House taking this report into consideration concurred therewith.

Mr. Hawkins, from the Committee of Propositions and Grievances, delivered in the following Report:

The Committee to whom the Petition of James Greenlee, late Sheriff of Burke County, was referred, Report,

That the said Greenlee as Sheriff aforesaid, settled with the Collectors of the public taxes in said County, and allowed them their Commissions on the whole amount of their Collections in Money.

That on a settlement with the Treasurer for said Taxes, he was allowed Commissions in money on the money part of said Collections, and in Certificates on the Certificate part. The Committee are of opinion the Treasurer in such settlement acted agreeably to the true

spirit & meaning of the law, and that the said Greenlee settled with the Collectors in his own wrong; therefore they recommend the Petition be rejected. All which is submitted.

WYATT HAWKINS, Chn.

The House taking this report into consideration concurred therewith.

Received from the Senate the resolution of this House directing the Clerk of the Senate to transmit as soon as possible a Copy of an Act entitled "an Act directing the Collectors of Imposts and other duties to collect the same for the use of this State, until the Congress of the United States shall make provision for that purpose," to each of the Collectors of the Imposts; the resolution directing the Clerk of this House to transmit to the printer of the State Gazette such part of the report of the Committee to whom were referred the report of the Commisioners for punching Certificates in the Comptroller's office, and the resolution directing the Sheriff of Burke County to settle with the Clerk of Rutherford for the County Tax therin mentioned, Concurred with.

Received from the Senate the following reports. Endorsed, read and concurred with; which being read, were concurred with by this House and returned, to-wit:

On the Petition of James Hinton;
On the Memorial of Maurice Baum & Hannah Pugh;
On the Petition of Gasper Smith;
On the report in favour of Green Hill;
On the Memorial of General Joseph Martin;
On the Memorial of John Cade and Sampson Bridges.

Mr. Hawkins, from the Commitee of Propositions and Grievances, delivered in the three following Reports, to-wit:

The Committee to whom the Petition of Joseph Cunningham was referred, Report,

That the said Cunningham at a sale of Confiscated property in Salisbury District in the year 1782, purchased a tract of Land, four hundred Acres, No. 28, for the sum of four hundred pounds, and gave his bond with the security for the payment thereof. That the said Land is claimed and in possession of a certain Nicholas Michael, Heir at Law to his Father Frederick Michael, deceased, who purchased the same of Henry Eustace McCulloch, paid a part of the

consideration Money, gave his bond for the residue, and took a bond of said McCulloch for the conveyance of said Land in fee simple. As the presumption is in favour of said Michaels keeping said Land and as a suit may be instituted against said Cunningham for the amount of his Bond, the Committee are of opinion the Petition be referred to the Consideration of the next General Assembly, that the said Cunningham may have the opportunity of establishing these facts by satisfactory testimony. Which is submitted.

WYATT HAWKINS, Chair.

The Committee to whom the Petition of Alsy Ross & John Allison, administrators on the estate of Andrew Ross of the Town of Hillsborough, deceased, and John Taylor, was referred, Report:

That the deceased Andrew Ross in his lifetime purchased several tracts of Land and lots in the Town of Hillsborough, of William Moore, Commissioner of Confiscated property, and gave his bond with John Taylor, aforesaid, Security for the balance of the purchase money, two hundred and four pounds. That the said Andrew departed this life in August last intestate, and not leaving assets sufficient to pay his debts. That a suit hath been instituted against the security, John Taylor, the surviving obligor for the said balance of £204 & Interest.

The Committee under these circumstances recommend that a Law be passed authorizing and impowering the said Administrators. Alcey Ross and John Allison, to sell so much of the aforesaid lands or lotts as will be sufficient to pay the said balance & Interest.

Which is submitted.

WYATT HAWKINS, Chn.

The House taking this report into consideration concurred therewith.

The Committee to whom the Petition of George Hoskins of the Town of Hillsborough was referred, Reported:

That in the year 1782 the said Hoskins purchased of William Moore, then a Commissioner of Confiscated property, a lott and improvements in the Town of Hillsborough for the sum of one hundred and forty seven pounds, and gave his bond for the payment of the same. That in the following year the said Hoskins sold the said Lott and improvements to Captain William Williams, or rather

prevailed on the said Williams to take the bargain off his hands, and become liable to the State for the aforesaid sum of £147. That by resolutions of the General Assemblies at Tarborough and Fayetteville, the said Williams was released from the payment of the purchase Money for said Lott & improvements, & also by the same resolutions it was directed, that the said lott should revert to the State. That notwithstanding the said bargain was totally cancelled by force of the Resolution aforesaid, the Treasurer, with whom the Bond of the said Hoskins was lodged hath instituted a suit against him for the amount thereof.

The Committee therefore unanimously recommend, the Treasurer be directed to dismiss the suit by him so commenced against the said Hoskins, and cancel the bond agreeable to the intent and meaning of the resolutions above recited.

Which is submitted.

WYATT HAWKINS, Chn.

The House taking this report into consideration concurred therewith.

Received from the Senate the report of the Comptroller, respecting Mr. Bloodworth. Endorsed, read and referred to Mr. Winston, Mr. Gillispie and Mr. Blount; which being read, was referred to Mr. Stokes, Mr. Rhea, Mr. Hamilton and Mr. Chambers, and returned to the Senate.

Received from the Senate a Bill for the promotion of learning in the County of Currituck, and a Bill to establish a public inspection of Tobacco in Clarksville, in the County of Tennessee. Endorsed, read the second time and passed. Also a Bill for dividing the County of Dobbs. Endorsed, read the first time and passed.

The House adjourned until To-morrow Morning Nine O'clock.

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WEDNESDAY, 16 December, 1789.

The House met according to Adjournment.

Whereas, it hath appeared to this General Assembly that Thomas Parker did take up, as Sheriff of Northampton County, a certificate issued by the General Assembly to John Heritage, Esquire, for sixty pounds before the passing the resolve of the last General Assembly; and whereas, the Treasurer did in obedience to the aforesaid resolve, refuse the said Parker credit for the same. Therefore,

Resolved, That the Treasurer be directed to receive said Certificate and give the said Parker credit for the same in the settlement of his accot.

Received from the Senate a Bill to amend an Act passed at Hillsborough in 1784 intituled "an Act for regulating the Pilotage and facilitating the navigation of Cape Fear River, and to levy a Tax on the Counties, Towns and articles therein mentioned for the purpose of removing obstructions out of the said River, for keeping the same open, and appointing Commissioners for carrying the same into effect." Endorsed, read the second time and passed.

Received also the resolution of this House directing the Treasurer to receive of Thomas Parker a Certificate therein mentioned and credit him for the same, concurred with.

The Bill to amend and provide for the deficiencies of the revenue Laws of this State, was read the second time, amended, passed and sent to the Senate.

The Bill to prevent the recovery of Interest on bonds & notes as therein described, was read the second time and rejected.

The Bill to alter the time of Electing the Members of the General Assembly in this State, was read the Second time, amended, passed and sent to the Senate.

The Bill to amend an Act intituled "an Act to prevent the exportation of unmerchantable Commodities," was read the third time, passed and ordered to be Engrossed.

The Bill to amend and enlarge an Act passed at Tarborough in the year 1787 entituled "an Act authorizing and impowering the County Courts of Pleas and quarter Sessions to divide and appropriate the real estate of Intestates," was read the second time, passed and sent to the Senate.

Resolved, That the Treasurer advance to the Comptroller the sum of one hundred Pounds to defray the expence of sending such Vouchers and accots to Edenton as may be necessary to support and establish the Claims of this State against the United States, and that the Comptroller shall hereafter accot for the money so received.

The Bill directing Sheriffs how to proceed in levying executions to them issued, and in the disposal of Goods and Chattels, Lands and Tenements taken in execution, was read the second time, and the question "shall this bill pass," being put was negatived; whereupon

the Yeas and Nays were required by Mr. Person and seconded by Mr. Mebane, which are as follows, to-wit:

Yeas—Messrs. W. Wood, D. Stewart, Dickens, Lassiter, Person, Alderson, Outlaw, Yancey, Creecy, Montgomery, King, J. Bryan, J. White, Bonds, S. Allen, Perry, Armstrong, Mebane, Drew, Bethell, Bostick, Nash, Edwards, T. Johnston, Hines, Love, W. Hawkins, Sanders, Wilson, Porter, B. Jones, J. Brown, Peters, Spiller, Mooring, Sheppard, J. G. Blount, J. A. Campbell—38.

Nays—Messrs. McClain, Tyson, Everagin, E. Jones, A. Phillips, N. Brown, Hamilton, Handley, Barnes, Lock, Holland, Robinson, Chambers, Lindley, Ellison, T. Blount, Z. Wood, Stokes, Davie, B. Smith, Jo. McDowall, Jr., Grice McKay, Cowan, W. B. Grove, Womack, Ewing, J. Hill, E. Phillips, Anderson, R. Dickson, G. Hamilton, Gillespie, J. Moore, J. H. Bryan, M. Matthews, Qualls, Norfleet, Brevard, Johnston, Barrot, Spicer, Pride, Snead, J. Stewart, W. Williams, Phifer, Douglass, Peete.—48.

Ordered that the Bill be entered on the Journal at large. See the last of this day's proceedings.

Received from the Senate the following Message:

Mr. Speaker & Gentlemen:

We have rejected the resolution of your House allowing the Comptroller to draw one hundred Pounds, and have substituted the one herewith sent in lieu thereof.

Resolved, That this House do concur with the resolution of the Senate above referred to.

Resolved, That the Clerk of this House shall include in his contract with the printers the printing of the bill commonly called the Certificate bill, that a copy may be procured for each of the Members.

The Bill to alter the mode of appointment of Inspectors of Tobacco at Fayetteville Warehouse, and to amend an Act intituled "an Act for the better regulation of the Town of Fayetteville," passed at Tarborough, 1787, was read the second time and passed.

The House adjourned until 4 O'clock p. m.

Met according to adjournment.

The Bill for establishing two places for holding General Elections in the County of Wilkes, and the place of holding Courts Martial, and for altering the manner of holding Elections of Members to rep-

resent said County in the General Assembly, was read the first time, passed and sent to the Senate.

The Bill for the promotion of learning in the County of Currituck, was read the second time, amended, passed and sent to the Senate.

The Bill for opening a waggon Road from Whites' Mill in Hawkins County, to Bledsoe's Lick in Sumner County, was read the first time, passed and sent to the Senate.

Received from the Senate the resolution of this House allowing James Mulloy fifteen Pounds, concurred with.

Mr. Lock, from the sub-committee of Finance, No. —, to whom was committed the business of counting and burning the Money in the Treasury, which hath been collected on account of the sinking fund, reported,

That the Committee hath received from the Treasurer, counted and burnt the sum of three thousand four hundred and Seventy-seven Pounds one Shilling current Money, which from being much worn, was unfit for further circulation; that there was burnt at Tarborough in December, 1787, the sum of seven thousand two hundred and seventy-two pounds ten Shillings, and at Fayetteville in December, 1788, eleven thousand and ninety-eight pounds eight Shillings, making, when added to the Money now burnt, the sum of twenty-one Thousand eight hundred and forty-seven Pounds, nineteen Shillings, which is in full of the sum which hath been collected on account of the sinking fund since that Tax hath been laid.

MATTHEW LOCK, Chn.

The House taking this report into consideration Concurred therewith.

The Bill for dividing the County of Dobbs, was read the first time, passed and sent to the Senate.

Received from the Senate the following Message:

Mr. Speaker & Gentlemen:

This House have resumed the consideration of the report from the late balloting for Governor and concurred therewith, in consequence of which we propose that two Members from each House be appointed to wait on and inform the Honorable Alexander Martin, Esquire, that the General Assembly will, To-morrow at 12 O'clock, be ready to receive and qualify him as Governor. Should you accede to this

proposition, Mr. Gallaway & Mr. Thomas Brown will act on the part of this House for the above mentioned purpose.

Ordered that the following Message be sent to the Senate:

Mr. Speaker & Gentlemen:

We have received the Message of your House proposing that two Members of each house be appointed to wait on the honorable Alexander Martin, Esquire, and acquaint him that the General Assembly will receive him tomorrow at Twelve O'Clock in order to qualify him to the office of Governor, with which we concur, and have for this purpose on our part appointed Mr. Person & Mr. Stokes.

The Bill to annex the County of Anson to Fayetteville District, and to regulate the appointment of Jurors to Fayetteville Superior Court, was read the third time, passed and sent to the Senate.

The Bill to annex part of Burke County to the County of Wilkes, was read the third time, passed and sent to the Senate.

Received from the Senate the following Message:

Mr. Speaker & Gentlemen:

The report of the Committee herewith sent, relative to public Tobacco, we propose shall be Committed, the information thereby given relative to the Tobacco purchased at this place not being sufficiently explicit.

Ordered that the following Message be sent to the Senate:

Mr. Speaker & Gentlemen:

We agree that the report of the Committee relative to the public Tobacco be committed as by you proposed.

Whereas, the Court Law passed in the year 1777, is with great difficulty procured in many parts of this State, by reason of which many errors may accrue, therefore

Resolved, That the printers of this State shall and are hereby directed to print and publish the said Court Law with the acts of this Session of Assembly.

The Bill to amend the several Acts of the General Assembly for establishing a Court of Law in the County of Davidson, and erecting the District of Mero, and to make provision for the Judge of Mero District, was read the second time, amended, passed and sent to the Senate.

The Bill to add part of Bladen County to Cumberland, was read the third time, amended, passed and sent to the Senate.

The Bill to emancipate certain Negroes therein mentioned, was read the third time, amended, passed and sent to the Senate.

The Bill to enable William Beaty, Administrator of the estate of James White, late of Bladen County, to sell certain Lands and tenements in the said Bill mentioned, was read the first time, passed and sent to the Senate.

The Bill to alter the names of Nancy, John and Keziah Lytle, Children of Sarah Nichols, formerly Sarah Lytle, of the Town of Hillsborough, was read the second time, passed and sent to the Senate.

The Bill for appointing Commissioners in the County of Greene, for building a Court House, prison and Stocks in the said County, and for levying a Tax for defraying the expences thereof, and for extending the lines of Greene County, was read the second time, amended, passed and sent to the Senate.

The Bill to amend an Act intitled "an Act to encourage the building of public Mills and directing the duty of Millers," passed in the year 1777, was read the first time and laid over until the next Assembly.

The Bill to establish a public inspection of Tobacco in Clarksville, in the County of Tennessee, was read the third time, amended, passed and sent to the Senate.

The Bill for allowing a further time for the securities of James Williams, Esquire, to make payment for certain Lands therein mentioned, was read the first time, passed and sent to the Senate.

The Bill for cutting a Canal from Juniper Bay to Mattamuskeet lake in Hyde County, was read the second time, passed and sent to the Senate.

The Bill to impower certain persons therein named to receive, sue for and recover all such bequests, donations, benefactions and other things as have heretofore been bequeathed, given or made, by any person or persons whatsoever, for the use of the Congregation or society of the Episcopal Communion, was read the third time, passed and sent to the Senate.

Ordered that Mr. Gillespie have leave to absent himself from the service of this House after Saturday next.

Mr. Hamilton, from the Committee to whom was referred the Letter from James Iredell, Esquire, Reported,

That so much of an Act passed at Tarborough in the year 1787,

directing the said James Iredell in his revisal of the Laws to leave out all acts on which no question of property might arise, ought to be repealed, and that he be directed not to revise or publish any private Act whatever, and that he make an index of the titles of such private Acts only. All which is submitted.

J. HAMILTON, Chn.

The House taking this report into consideration, Concurred therewith.

Mr. Hamilton moved for leave and presented a Bill to repeal part of an Act passed at Tarborough, 1787, authorizing James Iredell, Esquire, to revise and publish the Laws of this State, which was read the first time, passed and sent to the Senate.

Received from the Senate a resolution of that House directing the Superior and County Courts to give in charge to the Grand Juries "an Act for the restraining the taking of excessive usury;" which being read, was amended, and Concurred with as amended.

Received from the Senate a resolution of that house directing His Excellency the Governor, to transmit an authenticated Copy of the "Act for the purpose of Ceding to the United States of America certain western Lands therein described," to the Senators from this State in the Congress of the United States, &c.; which being read, was concurred with and returned.

Received from the Senate the following bills. Endorsed, read the second time and passed, to-wit:

A Bill for the promotion of learning in the County of Currituck, and to amend the Wilmington Town Law;

A Bill for establishing two places for holding General Musters in the County of Wilkes, and the place of holding Courts Martial, &c.;

A Bill to incorporate a Society of persons by the name of Centre Benevolent Society;

A Bill to erect a public Provision Store in the County of Hawkins, &c.

Received also a Bill to enable Thomas Callender, acting Executor of the last Will of Parker Quince, late of New Hanover County, deceased, and the other persons therein named, to make sale of certain lands and Tenements, &c. Endorsed, read the third time and passed.

A Bill directing the sale of the County buildings in Surry, &c. Endorsed, read the first time and passed.

A Bill directing Sheriffs how to proceed in Levying Executions to be issued, and the disposal of Goods and Chattels, Lands & Tenements, taken in Execution.

Be it enacted by the General Assembly of the State of North Carolina, and it is hereby enacted by the authority of the same, That where any execution shall issue to any Sheriff, Constable or any other proper officer, commanding him to levy of the goods and Chattels, lands and Tenements of any person the debt or damages therein specified, such Sheriff, Constable or other proper officer to whom the same shall be directed, shall as soon as may be proceed to levy the same on the Negroes, horses and nett cattle of the debtor, if any, and if such debtor shall not be possessed of negroes, horses or nett cattle, or not sufficient, then on the lands and other property of the debtor; and such Sheriff, Constable or other officer shall immediately advertise the property so levied on for sale, agreeably to the laws now in force; and such Sheriff, Constable or other officer shall summon one Justice of the Peace and three freeholders to meet at the day and place appointed for the sale of such property, and at the said day and place such Sheriff, Constable or other officer shall cause the said freeholders to be sworn well and truly to value and appraise the property so advertised; and the said Justice and freeholders shall proceed to value the said property at the common selling prices thereof, and shall return their valuation to the Sheriff, Constable or other officer, under their hands and seals; and the said Sheriff, Constable or other officer shall offer the property so valued, or so much as shall be sufficient to the creditor or creditors, his, her or their agent or factor duly authorized, at two-thirds of the value so returned; and if such creditor or creditors, his, her or their agent or attorney, duly authorized, shall accept of the said property at the rate of two-thirds as aforesaid in discharge of the execution, then the said Sheriff, Constable or other officer shall deliver the same to such creditor or creditors, to his, her or their own use; but if such creditor, his agent or attorney duly authorized, shall not attend, or being present, shall refuse to accept the same at two-thirds of the value as aforesaid, then such Sheriff, Constable or other officer shall proceed to offer the said property to sale to the highest bidder; and if any person shall offer for any article so exposed to sale, two-thirds of the said valuation or more, then such Sheriff, Constable or other officer shall sell, and deliver the same to such bidder; but if two-thirds of the valuation shall not be

offered, then such Sheriff, Constable or other officer shall make return upon such Execution, that the property could not be sold for want of bidders; and the Court or Justice to whom the same shall be returned, shall proceed to issue other process in such wise as has been heretofore used in cases of such returns.

And be it further enacted, that if the Justice and freeholders shall disagree in opinion as to the value of any property to be by them appraised, then the opinion of any three of them shall prevail and be taken and returned as the true value of the property; if two shall concur in one opinion, and two in another, then the opinion of one Justice and one freeholder shall prevail; but if all four shall differ in opinion, then the value of the different appraisements shall be added together, and one-fourth of the total amount of the whole sum shall be taken and returned as the true valuation of the said property.

And be it further enacted, that where any property, valued as aforesaid, shall consist of different articles and on refusal of the creditor to take the same at two-thirds the valuation, such property shall be exposed to sale, and some of the said property shall be sold at two-thirds of the value, and others not sold then for so much as shall be sold as aforesaid, the Sheriff, Constable or other officer shall be accountable to the creditor, and the residue of the said property he shall retain in his hands to be dealt with as hereinafter directed.

And be it further enacted, that if in any case judgment shall issue for any debt or damages against any person, and he or she shall be taken in execution and imprisoned therefor, such person shall and may produce to such Sheriff, Constable or other officer, Negroes, horses, Cattle or Lands towards satisfaction of the said debt or damages, and request such Sheriff, Constable or other officer to take the same into his possession, and the said Sheriff, Constable or other officer shall take the same into his possession and shall advertise the same, and summon a Justice and three freeholders, to meet and value the same as aforesaid, and after such valuation made shall offer the same to the creditor, and on his refusal shall expose the same to sale, & shall in all things conduct himself in the same manner as if such property had been taken by virtue of *fieri facias* duly issued and in case no sale shall be made for want of bidders, and the two-thirds of the valuation should be sufficient to satisfy the said debt and damages and costs, such persons shall be discharged from his imprisonment, and the Sheriff shall retain the property in his possession, to be used

and dealt with in such wise as if the same had been taken originally on a *fieri facias.*

And be it further enacted, that where any property valued and appraised as aforesaid, shall remain in the hands of any Sheriff, Constable or other officer, unsold for the want of bidders to the amount of two-thirds of the valuation, and the said debt and damages and all costs shall not be paid and discharged therein, ——————— months afterwards, the said Sheriff, Constable or other officer, shall sell and dispose of the same in such manner as he ought to have done if this had never been made.

And be it further enacted, that no person against whom any execution shall be issued, shall be intitled to the benefits of this Act, until he shall pay to the officer having the same, all the fees taxed on the said Execution.

The House adjourned until To-morrow Morning 9 O'clock.

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THURSDAY, 17 December, 1789.

The House met according to adjournment.

Received from the Senate the report of the Committee on the Memorial of Benjamin Sheppard. Endorsed, read and concurred with. Also a resolution of that House in consequence of the report; the question, to concur with the report and resolution being put, was carried in the affirmative; whereupon, the yeas and nays were required by Mr. Locke and seconded by Mr. Phifer, which are as follows:

Yeas—Messrs. Grice, Pugh, E. Jones, A. Phillips, McKay, D. Stewart, M. Bell, J. Allen, J. Hill, Lassiter, G. Hamilton, Outlaw, B. Williams, J. H. Bryan, T. King, Qualls, White, J. Johnston, Bonds, J. Stewart, W. Williams, Perry, McClain, Armstrong, Drew, Rhea, Bethell, Bostick, Nash, T. Johnston, Hines, Spruill, Lindley, Peters, Wallace, Mooring, Davie, Sheppard, B. Smith, J. G. Blount—40.

Nays—Messrs. Porter, B. Jones, Sawyer, Dauge, Chambers, J. Brown, Ellison, Z. Wood, Spiller, Lennard, J. A. Campbell, J. McDowall, Jr., Womack, Dickins, Beck, Person, Alderson, Gillespie, Yancey, J. Moore, Montgomery, Brevard, Barrot, Spicer, Phifer, Tyson, Mebane, Edwards, W. Hawkins, Handley, Love, Sanders, Lock, Holland.—34.

The Sub-Committee on public revenue, No. 4, appointed to ex-

amine into the state of the Treasury, Monies collected in the year 1789, with the application, Report,

| | | | |
|---|---|---|---|
| That having examined into the state of the Treasury, there appears to have been in the hands of the Treasurer on the 1st day of November, 1788, agreeably to his accounts then rendered, the sum of ..... £ | 8,307 | 3 | 6 |
| That he has collected and received from the said 1st of November, 1788, to 1st November, 1789, for account of Arrearages up to the 1st January, 1788, the sum of ..... | 12,681 | 15 | 5 |
| That he has collected and received from said 1st of November, 1788, to the 1st November, 1789, for account of taxes for the year 1788, including sundry balances due from Sheriffs, Clerks and Registers for the year 1787, the sum of..... | 56,713 | 17 | 4 |
| Amounting in the whole to..... £ | 77,702 | 16 | 3 |
| And that he has paid out of the sum received for arrearages, including his Commissions of £14 13 3 allowed him for collecting the sum of £146 12 10 due before the 1st January, 1784..... | 3,766 | 1 | 00 |
| And out of the collection of taxes for the year 1788, including his and Clerk's Salary..... | 25,622 | 5 | 00 |
| Which amounts in the whole to..... £ | 29,388 | 6 | 00 |
| And which being deducted from the foregoing sums of money on hand, and received up to the 1st of the said Month of November last, leaves a balance in his hands due and owing to the State of £48,314 10 3 in Money; that he has collected and received in Certificates for account of Arrearages, vizt: of Certificates, payable previous to 1st January, 1788, from 1st November, 1788, to 1st November, 1789..... £ | 25,909 | 5 | 1 |
| That he has collected and received of the taxes for 1788, including the returns from entry takers and including sundry balances due from Sheriffs and entry takers for the year 1787 in Certificates, | | | |

| | | | |
|---|---|---|---|
| counting State and Continental dollars and the balance in Certificates on hand the 1st November, 1788, the sum of | 88,701 | 9 | 00 |
| Amounting in the whole to | £114,610 | 14 | 2 |
| That he has paid out to sundries whom on final settlements of their accounts with the public appeared to have balances in their favour, and which is included in the foregoing debits Certificates to amount of | £ 71 | 5 | 2 |
| To the Comptroller, punched agreeably to the resolve of Assembly, the sum of | 112,827 | 1 | 11 |
| That the Commissioners at Hillsborough in the Month of April last burned State Dollar Bills to amount of | 347 | 2 | 6 |
| And that his Commissions for collecting of arrearages pursuant to Act of Assembly passed in December, 1787, which allows him 10 per cent. amounts in Certificates to | 242 | 10 | 8 |
| Making in the whole | £113,488 | 0 | 3 |

Which being deducted from the foregoing amount of debits, leaves a balance in his hands due and owing to the State of £1,122 13 11 in Certificates, in which it is to be observed is included a number of State and Continental Dollar Bills.

The Committee have calculated the Civil List on the following Estimate, vizt.:

| | | | |
|---|---|---|---|
| Governor's Salary | £ 750 | 00 | 00 |
| Treasurer's ditto | 500 | 00 | 00 |
| Comptroller's ditto | 500 | 00 | 00 |
| Secretary of State | 100 | 00 | 00 |
| Private Secretary | 100 | 00 | 00 |
| Council, Clerk & Doorkeepers | 130 | 00 | 00 |
| Members of Assembly, Clerks, Doorkeepers, &c | 10,000 | 00 | 00 |
| Clerk to the Treasurer | 150 | 00 | 00 |
| Judges of the Superior Courts | 2,500 | 00 | 00 |
| Attorney General | 640 | 00 | 00 |
| Agents for settling with the United States | 16,000 | 00 | 00 |
| | £ 16,970 | 00 | 00 |

The incidental charges of the Comptroller's and Treasury office are not stated in the above estimate, nor any particular sum for the usual contingencies of Government, but making an allowance for at least a partial collection of arrearages your Committee are of opinion that a tax of one Shilling per hundred acres upon Lands, and three Shillings on each poll, with the established taxes in aid of the public revenue, will be adequate to the expences of the year 1790.

Your Committee beg leave to add that it is with particular satisfaction they observed the judicious plan adopted by the Treasurer for the conduct of the business of his office and the accurate and elegant manner in which the books and accounts of the Treasury are kept. All which is submitted.

MAX. CHAMBERS, Chn.

The House taking this report into consideration, concurred therewith.

Ordered that the Clerk of this House transmit a Copy of the foregoing report to the printers of the State Gazette.

Received from the Senate the report of the Sub-Committee of Finance, No. —, to whom was committed the business of counting & burning the Money in the Treasury collected on the sinking fund Tax, and two resolutions of this House, one directing the printers to print & publish the Court Laws passed in the year 1777, with the Laws passed this Session, the other directing the Clerk of this House to contract with the printers for the printing of the bill commonly called the Certificate bill, Concurred with.

Received from the Senate the report of the Committee on the Memorial of General Armstrong, concurred with by that House; which being read, a question to concur with this report was put and carried in the affirmative; whereupon the yeas and nays were called for by Mr. Person and seconded by Mr. Lock, which are as follows:

Yeas—Messrs. Grice, McKay, M. Bell, J. Allen, J. Hill, E. Phillips, Lassiter, G. Hamilton, Gillispie, Yancey, King, Qualls, White, J. Johnston, Spicer, Snead, J. Stewart, W. Williams, S. Allen, Perry, Mebane, Reading, Bethell, E. Hamilton, Hines, Spruill, Blair, Robeson, B. Jones, T. Blount, Peters, Spiller, Wallace, Davie, B. Sheppard, Leonard, B. Smith, J. G. Blount, J. A. Campbell, Bonds, Beck, Johnston, Rhea, E. Jones, A. Phillips—45.

Nays—Messrs. W. Wood, Person, T. P. Williams, Womack,

Ewing, Dickins, Alderson, Montgomery, Brevard, Barrot, Phifer, McClain, Tyson, Everagin, N. Brown, Love, W. Hawkins, Locke, Holland, Chambers, J. Brown, Lindley, McDowall, Jr.—23.

Received from the Senate the report of the Committee on the Memorial of Benjamin Smith, Concurred with by that House; which being read was rejected.

Ordered that the Bill for impowering the several County Courts within this State to appoint Patrolls and directing their duty in office, be laid over until the next Assembly.

The Bill to incorporate a society of persons by the name of Centre Benevolent Society was read the second time, passed and sent to the Senate.

The Bill for raising the revenue for the payment of the Civil List and Contingent charges of Government for the year 1790, was read the second time, passed and sent to the Senate.

The Bill to erect a public provision Store in the County of Hawkins for the accommodation of the Cumberland Guard, was read the third time, passed and sent to the Senate.

Received from the Senate the following Message:

Mr. Speaker & Gentlemen:

Agreeable to the determination of the two Houses of yesterday we are now ready to proceed to the qualification of the Honorable Alexander Martin, Esquire, and have appointed Mr. Gallaway and Mr. T. Brown on the part of this House to wait on and conduct him into the presence of the General Assembly.

Ordered that the following Message be sent to the Senate:

Mr. Speaker & Gentlemen:

Mr. Stokes and Mr. Person will, on the part of this House, wait on and conduct the Honourable Alexander Martin, Esquire, into the presence of the General Assembly in order that he may qualify as Governor, and propose that the two Houses assemble in the Commons room for this purpose.

Received from the Senate the following Message:

Mr. Speaker & Gentlemen:

We consent to assemble in the room where the House of Commons sit in order to qualify Alexander Martin, Esquire, as by you proposed.

The Bill for the relief of securities in joint obligations, was read the second time, passed and sent to the Senate.

The Bill to impower the Wardens of the Poor for the Counties of Franklin, Orange and Surry to build a House or Houses for the reception of the Poor, and for amending Wilmington Town Law, was read the third time, passed and ordered to be Engrossed.

The Committee to whom the Memorial of William Tyrrel Lewis was referred, Report,

That it appears on an examination of said Memorial and a Certificate from the Clerk of Surry Court, a certain James Armstrong recovered in the County Court of Surry a Judgment for two hundred Pounds in the year 1784, and costs of suit to the amount of six pounds nine Shillings & three pence of James Roberts, which said Judgment and Costs hath been since properly transferred to said Lewis, and remain yet to be satisfied, as the whole of the property of Roberts had been previously confiscated and sold.

The Committee under these circumstances and more especially by an Act of the General Assembly passed in the year 178—, directing creditors or absentees or attainted persons whose property had been confiscated and sold to make application to the Treasury for the amount of their debts, are induced to recommend that the Treasurer be directed to credit the money part of a bond of said Lewis, owing to the State for confiscated property by him purchased, to the amount of the said Judgment, and costs. All which is submitted.

WYATT HAWKINS. Chn.

The House taking this report into consideration concurred therewith.

The Bill to impower Alice Ross and John Allison to sell and dispose of so much of the real estate of Andrew Ross, deceased, as will be sufficient to satisfy a debt due to the state for purchase of certain Confiscated Lands, and for directing the Treasurer to stop in the prosecution of the suit instituted against John Taylor, Esquire, a security for the said Andrew Ross, was read the second time, passed and sent to the Senate.

Mr. John G. Blount presented the following Resolution, to-wit:

Resolved, That the people of New Bern District who purchased property at the sales of Benjamin Sheppard, Esquire, Commissioner of that District, under a Law passed at Hillsborough in 1782, inti-

tuled "an Act directing the sale of Confiscated property," and gave their Bonds for the full amount of their purchase, may pay off their Bonds, one third in Money and two thirds in Certificates in the same manner as the people of Salisbury District are permitted to pay.

Ordered that this Resolution be referred and submitted to the Committee of Propositions and Grievances, No. 1, and sent to the Senate.

The Bill to amend an Act intituled "an Act for directing the method of appointing Jurors in all Causes Civil and Criminal," passed at Hillsborough in the year 1779, was read the third time, passed and ordered to be Engrossed.

The Bill to establish the title of certain Lands therein mentioned, was read the second time, passed and sent to the Senate.

The Bill to vest a certain tract of land in James Forsyth, was read the first time, passed and sent to the Senate.

Ordered that the Bill to amend an Act passed at Hillsborough in 1784, intituled "an Act for regulating the Pilotage and facilitating the Navigation of Cape Fear River," &c., lie over until the next Assembly.

The Senate and Commons according to order assembled in Conference, the Speakers and Members being seated, the Gentlemen appointed by both Houses to attend the Honorable Alexander Martin, Esquire, accordingly attended and conducted him to the place appointed for his reception, where he did in presence of the General Assembly qualify as Governor, by taking the oath of Allegiance, and also the oath of office.

Ordered that Mr. Benjamin Smith have leave to withdraw from the possession of the House his Memorial and the report thereon.

The Bill directing the sale of the Salt Licks and Springs within the District of Mero, was read the third time, passed and sent to the Senate.

Ordered that the following Message be sent to the Senate:

Mr. Speaker & Gentlemen:

We propose that the General Assembly proceed to ballot at four O'clock To-morrow evening for a Council of State, Colonel of Artillery, Commissioner of Confiscated property for the district of Hillsborough, and a judge of the Maritime Court for Port Beaufort.

We nominate for Councillors John Hamilton of Guilford, James Gallaway, Samuel Strudwick, Trangott Bagge, Memucan Hunt, Maxwell Chambers, James Holland, Joseph Winston, John Williams, Anthony Newman, James Taylor, William Little, Charles Bruce, Nathaniel Macon, Wyatt Hawkins, Griffith Rutherford, James Hunter, William H. Harrington and Spruce McKay, Esquires.

We nominate for Colonel of Artillery John B. Ashe, Esquire. For Commissioner of Confiscated property for the district of Hillsborough, James.Mebane, Esquire, And for a Judge of the Maritime Court for Port Beaufort, Abner Neale, Esquire.

Received from the Senate the following Bills. Endorsed, read the second time and passed:

A Bill for Dividing the County of Dobbs;

A Bill for processioning Lands within this State;

A Bill to form part of the Militia of Rowan County into a separate Battalion;

A Bill directing the mode of raising a fund in the several Ports in this State for the support of sick seamen, and the manner of appropriating the same.

Received also a Bill for opening a Waggon Road from White's Mill in Hawkins County, to Bledsoe's Lick in Sumner County. Endorsed, read the first time and passed.

The House adjourned until 4 O'clock.

Met According to Adjournment.

Ordered that Mr. Qualls have leave to absent himself from the service of this House after Sunday next.

The Committee to whom the Memorial of Thomas Haslin was referred, Report,

That it appears that Josiah Martin, late Governor of the Province of North Carolin, stands justly indebted to the estate of Thomas Haslin late of New Bern, deceased, in the sum of ninety seven pounds seven Shillings and two pence. The Committee are of opinion as the estate of the said Josiah hath been confiscated and sold to the benefit of the State, that the Treasurer be directed to pay the aforesaid sum of ninety seven pounds Seven Shillings and two pence to Thomas Haslin, if on examination he should find a sum sufficient

in the Treasury, which arose from the sale of the estate of the said Josiah as aforesaid.

Which is submitted.

WYATT HAWKINS, Chn.

The House taking this report in consideration, Concurred therewith.

The Bill to confirm unto Benjamin Williams an indefeasible title to a certain piece of land in Brunswick County, and for making conformable to the plan the Courses of a tract of land containing five thousand acres in Hawkins county Situate on the North side of Clinch River, and on both sides of Emery's river, granted to James Glasgow, and the course of a Tract of Land in Jones County lying on Crooked run containing 640 Acres, granted to Abraham Bassett, was read the third time, passed and ordered to be Engrossed.

Received from the Senate the Report of the Committee on the Memorial of Richard Blackledge. Endorsed, read and concurred with; which being read, was recommitted by this House.

Ordered that the following Message be sent to the Senate:

Mr. Speaker & Gentlemen:

We have received the report of the Committee on the Memorial of Richard Blackledge, with which we do not concur, and propose that the report of the Committee be recommitted, and that the Committee be directed to report to-morrow Morning.

Mr. Phifer, from the Committee appointed to hear and report on the reasons and excuses of the Members of this House who failed to qualify on the day appointed for the meeting of the General Assembly, delivered in the report thereon, which being read was recommitted. Ordered that the Committee do further report thereon to-morrow, and that the delinquent Members who shall then be reported as such, shall be considered as having incurred the penalty prescribed by Law.

Mr. Phifer delivered in a further report of the said Committee contained in the following words, to-wit:

The Committee appointed to hear and report on the reasons offered by Members who failed to appear and qualify on the day appointed for the meeting of the General Assembly, Report,

That Mr. Williams a Member from Richmond, Mr. Smith a Member from Brunswick, Mr. Campbell a Member from New Hanover,

and Mr. Peters a member from Hyde, appeared and upon oath offered reasons which your Committee deem sufficient to extenuate the fine imposed by Law. All which is submitted.

CALEB PHIFER, Chn.

The House taking this report into consideration concurred therewith.

The Committee to whom the Memorial of Thomas Horsey of Derby in the State of Connecticut, was referred, praying the remission of a penalty incurred by neglecting to enter his vessel at the Naval Office at Port Brunswick, agreeably to Law, in the Month of April last, Report,

That from the Memorial and other satisfactory information it appears the said Horsey, in the month of April last, arrived at Port Brunswick from George Town (South Carolina) with his Sloop, having on board a small quantity of Indian Corn *only* and neglecting to enter his Sloop at the Naval Office agreeably to Law, he incurred a heavy penalty, altho' he had entered with the Collector of the Impost and obtained a permit to land said Corn. The Committee on considering the premises are fully of opinion the neglect aforesaid arose wholly from said Horsey being unacquainted with the mode of entering Vessels, and not from any design or wish of evading the payment of the duties, therefore recommend that the naval officer be directed to cancel the bond of said Horsey, given for the penalty aforesaid, so far as the State is intereseted therein, which is submitted.

WYATT HAWKINS, Chn.

The House taking this report into consideration concurred therewith.

Received from the Senate the following reports of Committees, concurred with by that House, which being read were concurred with by this House and returned, to-wit:

On the Memorial of Thomas Bloodworth;

On the report of the Comptroller in favour of Timothy Bloodworth;

On the Petition of John Estis;

On the Memorial of Roger Jones;

On the Claim of Memucan Hunt late Treasurer, for eight due bills, &c.;

On the Memorial of Major Thomas Evans;

On the Memorial of Winston Caswell.

The Committee to whom the Memorial of James Thackston was referred, Report,

That they are of opinion the prayer of the said James Thackston is not founded in Justice, therefore reject the said Memorial. All which is submitted.

WYATT HAWKINS, Chn.

The House taking this report into consideration concurred therewith.

The Committee to whom the Petition of Elisha Hadden was referred, Report,

That in the year 1788, the said Hadden was ordered out by the commandant of Washington County on an expedition against the Indians, and in a skirmish received two wounds which confined him to his house six months, and subjected him to the expence of fourteen pounds in paying a surgeon, &c.

The Committee therefore are of opinion that he ought to be allowed therefor, out of the taxes at Washington District, and recommend that any Sheriff, Collector or holder of public Money in said District be directed to pay him accordingly. Which is submitted.

WYATT HAWKINS, Chn.

The House taking this report into consideration concurred therewith.

Received from the Senate the following Message:

Mr. Speaker & Gentlemen:

We agree to commit the report on the Petition of Richard Blackledge and that the Committee be requested to report To-morrow.

Received from the Senate the Resolution presented by Mr. J. G. Blount. Endorsed, read and concurred with, as to the reference.

Received from the Senate the following Message:

Mr. Speaker & Gentlemen:

We agree to ballot to-morrow evening as by you proposed, for a Council of State, Judge of the Marine Court for Port Beaufort and Colonel of Artillery, and approve of the Nominations by you made, and have added to the nomination of Councillors by you made James Gillispie, Joel Lane, Wm. Maclaine, General Polk and Thomas Per-

son. For Colonel, Scott Gray and Nathaniel Allen. We have rejected your propositions relative to the appointment of a Commissioner of Confiscation. At the request of Joseph Winston, Esquire, his name is withdrawn from the nomination of Councillors.

Ordered that the following Message be sent to the Senate:

Mr. Speaker & Gentlemen:

At the request of Mr. Person we propose that his name be withdrawn from the nomination for Councillor.

The Committee to whom the Petition of Henry Giles was referred, report,

That from incontestable testimony it appears to your Committee that in the year one thousand seven hundred and eighty five the Commissioner of Confiscated property for the district of Salisbury, did, at public auction, expose to sale a certain lot in the Town of Salisbury being No. 9, in the North Square thereof, then in possession of John Steele, Esquire, which lot was sold as the property of James Kerr late of Rowan County; and that the said Henry Giles did purchase the said Lot for the sum of one thousand two hundred pounds in Specie Certificates, which sum he actually paid into the Treasury. It also further appears to your Committee by an attested transcript of the records of the Superior Court of said district, that John Den, lessor of the said Henry Giles, did prosecute a suit in ejectment against the said John Steel for the property aforesaid. but without effect. Your Committee therefore are of opinion that the purchase money be refunded to the said Henry Giles; to effect which they do recommend that the Comptroller be directed to issue to the said Henry Giles a certificate or certificates to the amount of the said purchase money of twelve hundred pounds.

All which is submitted.

ALEXANDER MEBANE, Chn.

The House taking this report into consideration concurred therewith.

The Committee on the Memorial of Spruce Macay report,

That from sufficient testimony it appears to your Committee that the said Spruce Macay (as set forth in his Memorial) did in the month of October, 1785, purchase of a certain Jonas Kerr of Rowan County, a piece or parcel of Land containing 229 Acres for which he paid the sum of of two hundred pounds currency, which piece of

land has since been sold, by the Commissioner of Confiscated property for the District of Salisbury as the property of the aforesaid James Kerr, for the sum of one thousand and sixty pounds nine Shillings, including the Interest; and Henry Giles was the purchaser, as appears by the Commissioners certificate No. 1. That by the same certificate, corroborated by the information of several Gentlemen, it also appears that the said Giles was employed by Mr. Macay to purchase the said land for him, as he was not able to attend the sale, and after the grant from the State had issued in the name of Mr. Giles, he was obliged to bring suit against the said Macay in order to enable him the said Macay to recover of the said James Kerr in case the land was deemed confiscated. It further appears that Henry Giles did at the same Commissioners vendue, purchase a lott in the town of Salisbury, then in possession of Mr. John Steel, which lot was sold by the Commissioner as the property of James Kerr, and on Mr. Steel refusing to give up his claim, a suit in ejectment was instituted against him for the recovery of the property,, and was determined by the Honorable the Judges of the Superior Court of Salisbury District at March Sessions, 1789, in favour of Mr. Steel. Your Committee are therefore of opinion, as Mr. Macay's case appears similar to that of Mr. Steel's, and as the purchase money has been paid into the Treasury by Mr. Macay, it is just and reasonable he should be reimbursed, and do recommend to your honorable body, to direct the Comptroller to issue unto the said Macay a Certificate or Certificates to the amount of the purchase money so paid by him as aforesaid.

All which is submitted.

ALEXANDER MEBANE, Chn.

The House taking this report into consideration concurred therewith.

The Committee to whom the Petition of William Armstrong was referred, report,

That the allegations in the said Petition set forth are not supported by sufficient testimony. Your Committee are therefore of opinion it be rejected.

All which is submitted.

WYATT HAWKINS, Chair.

The House taking this Report into consideration concurred therewith.

Mr. Hamilton presented the Memorial of Henry Emanuel Lutterloch, which being read was rejected.

The Committee to whom the Memorial of Doctor Isaac Alexander was referred, report,

That for services performed in hospitals and the late armies, and for medicine, the said Alexander received a Certificate from the Board of Auditors in Salisbury District to the amount of thirty-four thousand seven hundred pounds to be redeemed at one hundred and fifty for one, which Certificate, from said Alexander's affidavit, strengthened by those of Griffith Rutherford, and Matthew Lock, Esquires, and which are herewith presented, appears to the Committee to have been since lost.

They therefore are of opinion and recommend, that the Comptroller be directed to issue a Certificate to the said Alexander on his giving sufficient security to indemnify the State in the payment of the original, if yet in circulation, to the same amount, to bear the same date, and to be of equal value to the one so suggested to have been lost. Which is submitted.

WYATT HAWKINS, Chair.

The House taking this report into consideration concurred therewith.

The Bill to form part of the Militia of Rowan County into a separate Battalion was read the third time, passed and sent to the Senate.

The Bill for establishing two places for holding General Musters in the County of Wilkes; and the place of holding Courts Martial; and for altering the manner of holding elections of Members to represent said County in the General Assembly, was read the second time, passed and sent to the Senate.

Received from the Senate the following Message:

Mr. Speaker & Gentlemen:

We propose that the report of the Committee on Finance No. 4, be amended by making the figures in the latter part thereof, opposite the letter B, 1790.

Ordered that the following Message be sent to the Senate:

Mr. Speaker & Gentlemen:

We agree to the amendment by you proposed to be made in the re-

port of the Committee on Finance No. 4, and have made the same conformable and now send it for your concurrence.

The House adjourned until To-morrow Morning 9 O'clock.

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Friday, 18 December, 1789.

The House met according to adjournment.

Ordered that the following Message be sent to the Senate:

Mr. Speaker & Gentlemen:

We propose at the request of Mr. Chambers that his name be withdrawn from the nomination for Councillor, and that the name of Joel Lane be also withdrawn, and that the names of James Sanders & James Hogg be added thereto.

The Bill directing the mode of raising a fund in the several Ports in this State for the support of sick Seamen, and the manner of appropriating the same, was read the third time, passed & sent to the Senate.

The Bill to vest in Jeremiah and Robert Field an indefeasable right to such property as was granted to them by their father in the year 1776, was read the third time, passed and sent to the Senate.

The Bill to authorize and impower James Billingsly to execute a Deed or Deeds of conveyance agreeable to a power of Attorney, and the last Will and Testament of William Rhea late of Guilford County, deceased, was read the third time, passed and sent to the Senate.

Resolved, That the Committee appointed to burn the Money collected by the sinking fund Tax, proceed to burn as much of the ragged Money now in the Treasury unfit for circulation as would be equal to the sinking Fund Tax of 1789, and that Mr. Qualls, Mr. Lindley, Mr. McDowall, Mr. Phifer, Mr. Yancey, Mr. Sanders and Mr. Hamilton of Guilford, be added to this Committee.

The Bill to enable Thomas Callendar, acting Executor of the last Will of Parker Quince, late of New Hanover County, deceased, and other persons therein named, to make sale of certain lands and Tenements, part of the residuary estate of the said Parker Quince, was read the third time, passed and ordered to be Engrossed.

The Bill to amend and enlarge an Act passed at Hillsborough in April, 1784, intituled "an Act to enable Mary Dowd to sue for and

recover to her own use and the use of her Children by her husband Conner Dowd, all debts due and owing to the said Conner, and all other things in action which the said Conner Dowd might lawfully sue for and recover were he a Citizen of this State, and intitled to the benefits of its laws," was read the second time, passed and sent to the Senate.

The Committee to whom was recommitted the report on the Memorial of Richard Blackledge, Report,

That the Tobacco due from Richard Blackledge to this State with Interest to his confessing Judgment, is 56,931 lbs. as received by the Commissioner at the Tobacco Warehouse, and agreeable to the delivery by the Commissioner would be 51,756 lbs. at the average loss on the other Tobacco delivered to Constable, Rucker & Co., which at three and one third dollars per hundred make Sixteen hundred & one sixth Dollars; and it is the opinion of the Committee, that if Richard Blackledge, or any one for him, do produce to the Treasurer of this State the receipt of the agent of Martinico for Sixteen hundred and Twenty five and one sixth Dollars, with Interest from the rise of this Assembly within six months from the rise thereof, the same shall be a discharge against the Judgment confessed by the said Richard Blackledge in the Superior Court at Hillsborough, and in case the said Blackledge, does not produce such receipt to the Treasurer within the aforesaid Term of six months that then the Treasurer shall cause the Execution to be issued against the said Blackledge and his Securities agreeable to the Judgment by him confessed, and the Treasurer is hereby directed to stay the issuing the Execution against the said Blackledge and his Securities until the expiration of the said Six months. All which is submitted.

JOHN STEWART, Chair.

The House taking this report into consideration concurred therewith.

The Bill for processioning Lands in the Counties therein mentioned, was read the second time and rejected.

The Bill to repeal an Act passed ———— in 1784, intituled "an Act to describe and ascertain such persons who owe allegiance to the State, and to impose certain disqualifications on certain persons therein mentioned," was read the second time and rejected.

Received from the Senate the following Reports, Concurred with by that House, to-wit:

On the Memorial of Mrs. Simpson;
On the Petition of John Armstrong;
On the Memorial of Nancy Horah;
On the Petition of James Greenlee;
On the Petition of George Hoskins;
On the Petition of Joseph Cunningham;
On the Petition of Alcey Ross, John Allison & John Taylor;
On the Petition of John Elliott;
On the Petition of Dempsey Moore;
On the Petition of John Shankle;
On the Memorial of William T. Lewis;
On the Memorial of Cosimo Medici;
And the Report of the Sub-Committee of Finance, No. 4.

The Bill to release Joseph Stacey of Montgomery County, from the forfeiture of a recognizance, was read the third time, passed and sent to the Senate.

Received from the Senate a resolution of that House for summoning the Justices of the Court of Rutherford County to appear before the next Assembly for the purposes therein expressed, which being read was rejected.

Received also one other resolve of that House for giving a further time to James Withrow, Sheriff of Rutherford, to make settlement of his accounts with the public; which being read, the following Message was ordered to be sent to the Senate:

Mr. Speaker & Gentlemen:

We propse that the resolution of your House in favor of James Withrow, be amended by inserting the word May, instead of the word April; if you will agree to this amendment, we will then concur with the resolution.

The Bill to repeal part of an Act passed at New Bern intituled "an Act to divide the District of Morgan," was read the second time, passed and sent to the Senate.

The Bill to amend an Act passed at New Bern in November 1784, intituled "an Act to explain, amend and supply the deficiencies of an Act passed at Hillsborough intituled an Act to regulate the descent of real estate, and to do away entails, to make provision for Widows,

and to prevent frauds in the execution of the last Wills and Testaments and for directing how deeds of Gifts and Bills of Sales of Slaves shall be executed, authenticated and perpetuated," was read the second time, passed and sent to the Senate.

Received from the Senate the Bill to authorize the County Courts in this State to annually elect a certain number of Justices in each County to attend to the business thereof. Endorsed, read the second time and passed. This Bill was read for the second time in this house, amended, passed and returned to the Senate.

Received from the Senate a Bill directing the Comptroller to settle such joint Claims of the Officers and Soldiers of the North Carolina line as were passed by the Commissioners of Army Accounts at Warrenton in 1786, and to liquidate Claims of the said line, which have not heretofore been settled. Endorsed, read the second time and passed. This Bill was read for the second time and rejected.

Received from the Senate a Bill to enable William Beaty, Administrator of the estate of James White late of Bladen County, to sell certain Lands and Tenements in the said Bill mentioned. Endorsed, read the second time and passed. This Bill was read for the second reading in this House, passed and returned to the Senate.

The Bill for the promotion of learning in the County of Currituck, and to amend the Wilmington Academy Law, was read the third time, passed and ordered to be Engrossed.

Received from the Senate a Bill for erecting a Town on the Lands of Fergus Stone, and to amend an Act for the division of Rowan County. Endorsed, read the second time and passed. This Bill was read the third time, passed and returned to the Senate.

The Bill for opening a waggon Road from White's Mill in Hawkins County to Bledsoe's Lick in Sumner County, was read the second time, amended, passed and sent to the Senate.

The Bill to amend an Act intituled "an Act to establish in the Towns of Washington, Edenton, New Bern and Wilmington, Courts for the speedy decision of Mercantile transactions, &c., was laid over until the next Assembly.

The Bill directing the sale of the county buildings in Surry, and to alter the times of holding several County Courts in this State, was read the second time, passed & sent to the Senate.

The Bil to Cede to that part of the Citizens of this State, who re-

side West of the Great Iron and Stone Mountain, the Territorial right thereof, &c., being read was rejected.

Received from the Senate the representation of the Treasurer on the Settlement of Thomas Martin, Sheriff of Sumner. Endorsed, read & referred to the Committee of Propositions and Grievances, No. 2; which being read, was referred as by the Senate and returned.

Received from the Senate a Resolution of that House for refunding to such persons, who have made entries of Lands & not been able to obtain the same the money or Certificates paid for such entries, which being read was rejected.

Received from the Senate the following Message:

Mr. Speaker & Gentlemen:

We agree to amend the resolution in favour of James Withrow as by you proposed. We also agree that the Committee burn as much of the Money in the hands of the Treasurer unfit for circulation as will be equal to the sinking fund tax for 1789;

And propose that this Committee be directed to burn the whole of the ragged money in the hands of the Treasurer unfit for further use, and have added Mr. Skinner and Mr. Gallaway thereto.

Received from the Senate a resolution of that House allowing John Johnston at the rate of four Shillings in the pound on a certain sum paid by him in Certificates for a certain Tract of Land sold under the Confiscation Law, the sale of which has been deemed void, which being read was rejected.

Adjourned until 4 O'clock P. M.

Met according to Adjournment.

Received from the Senate the following Message:

Mr. Speaker & Gentlemen:

We have added to the nomination for Councillors Jesse Franklin, and are now ready to enter on the balloting, & have appointed Mr. Montgomery and Mr. Graham to superintend the same, on the part of this House.

Ordered that the following Message be sent to the Senate:

Mr. Speaker & Gentlemen:

We have read your Message informing that you are ready to pro-

ceed to balloting. We are also ready to ballot & have appointed Mr. Hill and Mr. Sanders to conduct the balloting on our part.

The Committee appointed to hear and report on the reasons offered by Members who failed to appear and qualify on the day appointed for the meeting of the General Assembly, Report,

That having received the deposition of Mr. Mooring in writing purporting his reason for not attending in due time, your Committee have thought proper to submit it to the House for a decision thereon. All which is submitted.

CALEB PHIFER, Chn.

The House taking into consideration this report, and the Deposition of Mr. Mooring therein referred to,

Resolved, That Mr. Mooring be excused from incurring the penalty by Law prescribed to be paid by delinquent Members of Assembly.

Mr. Stokes, from the Committee to whom was referred the Memorial of John Ingram and others, delivered in a report thereon, which being read was rejected.

The Committee appointed to hear and report on the reasons offered by Members who failed to appear and qualify on the day appointed for the meeting of the General Assembly, Report,

That the following Gentlemen, to-wit: Mr. Sheppard, Mr. Davie, Mr. Leonard, Mr. J. G. Blount and Mr. Joseph McDowall, Junr., appeared and rendered reasons upon oath, which reasons your Committee are of opinion are sufficient. All which is submitted.

CALEB PHIFER, Chn.

The House taking this report into Consideration Concurred therewith.

Ordered that Mr. Joseph Douglass have leave to absent himself from the service of this House after to-morrow.

The House adjourned until To-morrow Morning 9 O'clock.

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Saturday, 19 December, 1789.

The House met according to adjournment.

Mr. Jordan Hill, from the joint balloting for a Council of State, Colonel of Artillery and Judge of the Maritime Court for Port Beaufort, Reported,

That John Hamilton, Wyatt Hawkins, James Taylor, James Gillispie, Charles Bruce and Jesse Franklin, Esquires, were Elected Councillors.

John B. Ashe, Esquire, Colo. of Artillery, and Abner Neale, Esquire, Judge of the Maritime Court of Port Beaufort.

That one Councillor was yet to be balloted for, seven persons not having a Majority of Votes for such appointment.

The House taking this report into consideration concurred therewith.

Received from the Senate a Bill to amend the several Acts of the General Assembly for establishing a Court of Law and Equity in the County of Davidson & erecting the district of Mero, and to make provision for the Judge of Mero District. Endorsed, read the second time and passed. This Bill was read for the third time, amended, passed and returned to the Senate.

Received from the Senate a resolution of that House directing the Treasurer to stay all proceedings in the suit or suits brought against John Taylor as Security to Andrew Ross, dec'd, &c.; which being read, was concurred with and returned.

Received from the Senate a resolution of that House for paying into the hands of General Smith and David Wilson Thirty pounds to be laid out in light goods to be made a present of to the relations of Long Hair, a Chief of the Chickasaw Indians; which being read, was concurred with and returned to the Senate.

Received from the Senate a Bill to amend and enlarge an Act passed at Hillsborough in April, 1784, intituled "an Act to enable Mary Dowd to sue for and recover to her own use and the use of her Children by her husband Conner Dowd, all debts due and owing to the said Conner and all other things in action which the said Conner Dowd might lawfully sue for and recover were he a Citizen of this State, and intitled to the benefits of its laws." Endorsed, read the second time and passed. This Bill was read the third time, passed and returned to the Senate.

Mr. Hawkins, from the Committee of Propositions and Grievances, delivered in a report on the Petitions of Robert Lynn and James Bar; which being read, Mr. Phifer moved for leave to withdraw the said report. Ordered that he have leave.

Received from the Senate the report of the Committee on the Petition of Nicholas Eveleigh. Endorsed, read and concurred

with; which being read, was concurred with by this House and returned to the Senate.

Ordered that the following Message be sent to the Senate:

Mr. Speaker & Gentlemen:

We propose that the General Assembly proceed to ballot this evening at four O'clock for the Councillor yet to be appointed, a Colonel of Cavalry for Hillsborough District, and an assistant Judge for the District of Morgan, and nominate for Judge John Stokes, Esquire, and for Colonel of Cavalry, Samuel Benton, Lewis Bledsoe and John Taylor. We further propose to ballot for a first Major of Cavalry, and nominate William Nash.

Received from the Senate a Bill directing the sale of the County buildings in Surry, and to alter the times of holding several County Courts in this State. Endorsed, read the second time and passed. This Bill was read for the third reading in this House, passed and returned to the Senate.

The Committee on the Petition of Francis Owens, Report,

That the allegations set forth in the said Petition are not supported by sufficient Testimony. Your Committee are therefore of opinion the Petition be rejected. All which is submitted.

WYATT HAWKINS, Chn.

The House taking this report into consideration concurred therewith.

The Committee on the Petition of William Griffin, are of opinion the said Petition be rejected, the allegations therein set forth being unsupported by sufficient Testimony.

WYATT HAWKINS, Chn.

The House taking this report into consideration concurred therewith.

Received from the Senate a Bill to enable William Beaty, Administrator of the estate of James White, late of Bladen County, to sell the lands and tenements mentioned therein. Endorsed, read the third time and passed.

This Bill was read for the third reading in this House, was passed and ordered to be Engrossed.

The Committee to whom the Memorial of Ptolemy Powell was referred, praying an allowance in Money for a horse sold Colo.

Samuel Lockhart for the sum of one hundred and thirty-three pounds Six Shillings & eight pence, for the use of the United States, under a resolve of the General Assembly passed at Hillsborough in the year 1782, Report,

That as Mr. Powell received a Certificate from Colonel Lockhart for said horse equal in value to any of the Certificates now in circulation, and as the Committee conceive a payment in Money for said Horse would place Mr. Powell on a better footing than the Citizens of this State who Hold Certificates, they recommend the Memorial be rejected.

All which is submitted.

WYATT HAWKINS, Chn.

The House taking this report into consideration concurred therewith.

Received from the Senate a Bill for opening a Waggon Road from White's Mill in Hawkins County, to Bledsoe's Lick in Sumner County. Endorsed, read the second time and passed.

This Bill was read the third time in this House, passed and returned to the Senate.

Mr. Rhea moved for leave to enter a protest against this Bill. Ordered that he have leave.

The Bill for dividing Dobbs County was laid over until the next Assembly.

Received from the Senate a Bill for raising a fund for erecting the buildings and for the support of the University of North Carolina. Endorsed, read the second time, amended and passed. This Bill was read the second time in this House, passed and returned to the Senate.

Received from the Senate the following Message:

Mr. Speaker & Gentlemen:

We will concur with the resolution of your House allowing the Judges a certain Sum, provided you will erase the words *the whole of the Term.*

The House taking this Message under consideration,

Resolved, That the Judges of the Superior Courts of Law and Equity be allowed five pounds each for every Court they shall at-

tend (Washington and Mero excepted) in the year 1790, in addition to their present Salary.

Ordered that the following Message be sent to the Senate:

Mr. Speaker & Gentlemen:

We have not concurred with the amendments by you proposed to the resolution of this House in favour of the Judges, but have entered into another resolution herewith sent for your concurrence, in their favour.

Mr. Hawkins, from the Committee of Propositions and Grievances, delivered in a Report on the Petition of Ann Meadows, which being read was rejected.

Mr. Hawkins, from the Committee of Propositions and Grievances, delivered in a Report on the Memorial of Richard Blackledge, Executor, &c., which being read, was laid over until the next Assembly.

Resolved, That the agents from this State appointed to settle and adjust the claims of this State against the United States be and they are hereby directed to enquire and inform themselves by what means this State obtained a credit with the United States for a certain quantity of leather received of Richard Blackledge, and that they transmit to the next General Assembly such vouchers or other information as they deem proper to give the necessary information to the General Assembly on this subject.

Received from the Senate a Bill to direct in what manner Executions shall hereafter issue. Endorsed, read the first time and passed. This Bill was read for the first time in this house. The question being put shall this bill pass was negatived; whereupon the yeas and nays were called for by Mr. Person, which are as follows:

Yeas—Messrs. W. Wood, May, Grice, T. P. Williams, J. Hill, Lassiter, Person, Yancey, Creecy, B. Williams, J. H. Bryan, King, J. Bryan, J. Johnston, Bonds, S. Allen, Mebane, Bethel, Hines, Sanders, Holland, Wilson, Porter, B. Jones, Z. Wood, Spiller, Wallace, Mooring, J. G. Blount.—29.

Nays—Messrs. M. Bell, Sawyer, Dauge, Ewing, E. Phillips, Dickson, Beck, G. Hamilton, Outlaw, J. Moore, Montgomery, M. Matthews, Qualls, Brevard, J. White, Pride, Snead, J. Stewart, W. Williams, Phifer, J. Douglass, Maclaine, Tyson, Armstrong, Rhea, E. Jones, Nash, E. Hamilton, Handley, Love, Barnes, Blair, Locke,

Robeson, Chambers, Lindley, Ellison, Stokes, Davie, Sheppard, McDowall, Jun.—41.

Ordered that this Bill be entered on the Journal at large. See the last of this day's proceedings.

On a motion made by Mr. Edward Jones it was ordered that the Petition of John Bradley, John Ingram and George Hooper, together with the report of the Committee thereon, be entered on the Journal at Large. See the last of this day's proceedings.

Ordered that the following Message be sent to the Senate:

Mr. Speaker & Gentlemen:

We have appointed Mr. Maclaine, Mr. Brevard, Mr. Sawyer, and Mr. Pride to assist in examining the Engrossed Bills.

Received from the Senate the resolution of this House allowing the Judges of the Superior Courts five pounds each for the Courts they may attend in the year 1780, Concurred with.

Received from the Senate the Report of the Committee on the Memorial of Joseph Leech and a resolution of that House in consequence thereof, which being read, were concurred with and returned.

Mr. Yancey and Mr. Edward Jones voted for this report & Mr. Matthews against it.

Received from the Senate the following Message:

Mr. Speaker & Gentlemen:

We agree to ballot this evening at four o'clock for the Councillor of State yet to be made choice of, an additional Judge for the District of Morgan, and Colo. of Cavalry for Hillsborough District, and approve of your nominations with the addition of the name of Griffith Rutherford for Councillor. Your Proposition relative to the appointment of first Major we have rejected, as there will be an officer of that rank, provided he should not be made Colo. on the present balloting.

We propose that an Attorney-General for the District of Mero be also balloted for at the same time and nominate to that appointment Andrew Jackson, Esquire.

Ordered that the following Message be sent to the Senate:

Mr. Speaker & Gentlemen:

We agree to ballot for an Attorney-General for the District of

Mero as by you proposed. Mr. Hill and Mr. Sawyer will conduct the balloting as agreed to, on the part of this House.

Received from the Senate a Bill to repeal part of an Act passed at Tarborough 1787, authorising James Iredell, Esquire, to revise and publish the Laws of this State. Endorsed, read the first time and passed. This Bill was read the second time in this House, amended, passed and returned to the Senate.

Adjourned until four O'clock P. M.

Met according to adjournment.

The Bill for raising a revenue for the payment of the Civil List and Contingent charges of Government for the year 1790, was read the third time, passed and ordered to be Engrossed.

Ordered that Mr. Sheppard have leave to absent himself from the service of this House.

Ordered that the following Message be sent to the Senate:

Mr. Speaker & Gentlemen:

We propose that the Clerks be directed to make out the estimate of allowances to include Tuesday next.

Received from the Senate a Bill directing returns to be made of the Taxable property in the middle district of Anson County for the year 1788. Endorsed, read the second time & passed. This Bill was read the second time in this House, passed and returned to the Senate.

Received from the Senate a Bill to encourage the manufacture of Pot Ash. Endorsed, read the second time and passed. This Bill was read the third time in this House, passed and returned to the Senate.

Received from the Senate a Bill to repeal part of an Act entitled "an Act for raising a revenue for the support of Government, and to repeal an Act entitled an Act to suppress excessive gaming," passed at Hillsborough in April in the year 1784. Endorsed, read the second time and passed. This Bill was read the third time in this House and rejected.

Received from the Senate a Bill for granting a longer time for the surveying of Certain Lands. Endorsed, read the second time & passed. This Bill was read the third time in this House and rejected.

Received from the Senate the following Message:

Mr. Speaker & Gentlemen:

We are now ready to proceed to balloting and have appointed Mr. Graham and Mr. Montgomery to superintend the same on the part of this House.

Received from the Senate the Bill for the relief of such persons as may be wounded by the Indians within the District of Mero, and for other purposes. Endorsed, read the second time and passed. This Bill was read the third time in this House, passed and returned to the Senate.

Received from the Senate a Bill the better to regulate the inspection of Tobacco. Endorsed, read the second time and passed. This Bill was read for the third time in this House, amended, passed & returned to the Senate.

Received from the Senate a Bill to alter the time of Electing the Members of the General Assembly in this State. Endorsed, read the second time and passed. This Bill was read the third time in this House, passed and returned to the Senate.

Received from the Senate a Bill for cutting a Canal from Juniper Bay to Mattamuskeet lake in Hyde County. Endorsed, read the second time and passed. This Bill was read the third time in this House, passed and returned to the Senate.

Received from the Senate a Bill to establish the title of certain lands therein mentioned. Endorsed, read the second time & passed. This Bill was read for the third time in this House, passed & returned to the Senate.

Received from the Senate the report of the Committee on the Petition of George Doherty and Vincent P. Williamson. Endorsed, read and concurred with. This report being read was concurred with by this House and returned.

Received from the Senate a resolution of that House authorizing the Treasurer to send expresses with executions against public delinquent debtors in certain instances, &c.; which being read, was concurred with and returned.

Received from the Senate the resolution of this House directing the agents appointed to adjust the claims of this State against the United States to transmit to the General Assembly such information as they may deem necessary relative to the credit this State has with the United States, for leather received of Richard Blackledge, concurred with.

Ordered that the report of the Committee on the Memorial of James Butler lie over until the next Asembly.

A Bill to direct in what manner executions shall hereafter issue:

Whereas, from the present situation of our commerce and the great scarcity of Money, property when taken to satisfy executions sells greatly below its value which if not prevented will prove prejudicial to the Citizens of this State; for remedy whereof,

Be it enacted by the General Assembly of the State of North Carolina, and it is hereby enacted by the authority of the same, that when Judgment shall be obtained before any Justice out of Sessions, or before any Court of record in this State for any sum above ——— pounds, and not exceeding one hundred pounds, the defendant or defendants, may upon giving Bond with sufficient security for the Principal and Interest of such Judgment, be entitled to a stay of execution for twelve months from the time of recovery; at the expiration of which time execution shall issue against the goods and Chattels, Lands and Tenements of the said defendant and his securities for the amount of such Judgment and the Interest thereon accrued.

And be it further enacted by the authority aforesaid, that when judgment shall be obtained in any Court of Record in this State for any sum above one hundred pounds and not exceeding three hundred pounds, the defendant or defendants, upon paying one third of such judgment at the time of recovery, or within Twenty days after the same, shall be entitled to the following stay of execution, upon giving bond and sufficient Security for the remaining two thirds of such judgment, in the following manner, to-wit: The one third of such judgment shall be paid at the expiration of one year after the recovery thereof, and execution shall issue accordingly for the said one third of such judgment and the interest thereon, against the goods and Chattels lands and Tenements of the said defendant and his securities and for the remaining one third of such judgment and execution shall be stayed for two years from the time of recovery; at the expiration of which time, execution shall issue for the remaining one third of such Judgment with the Interest thereon, against the said defendant and his securities as in manner above mentioned.

And be it further enacted by the authority aforesaid, that when any Judgment shall be obtained in any Court of record in this State, for any sum above three hundred pounds, the defendant or defend-

ants upon paying one fourth of such Judgment at the time of recovery, or within twenty days after the same, shall be entitled to the following stay of execution, upon giving Bond with sufficient security for the remaining three fourths of such Judgment in the following manner, to-wit: One fourth of said Judgment payable in twelve months from the time of recovery, one fourth in two years, and the remaining one fourth at the expiration of three years after the recovery of such judgment, and execution shall issue accordingly at the end or term of each instalment for the amount then due with the interest thereon accrued against the said defendant and his securities, which execution shall be levied on the goods and Chattels, Lands and tenements of the said defendant and his securities, to satisfy the same; and all executions which shall issue under the directions of this Act, shall be issued and returned as heretofore; Provided, that no person or persons shall be entitled to the benefit of this Act until he or they have paid the officers and tax fees, and obtained a receipt for the same.

To the Honorable the General Assembly of the State of North Carolina:

The Petition of John Bradley, John Ingram and George Hooper Humbly sheweth,

That in the month of February last the Petitioners did order their correspondents in England to ship on their accounts on board vessels bound for Wilmington in this State, quantities of goods as follows, to-wit: On account of your petitioner John Bradley to the value of eight hundred pounds sterling, or thereabouts; on account of your other petitioners under the firm of Ingram and Hooper, and George Hooper & Co., to the value of two thousand two hundred pounds sterling or thereabouts. That your petitioners correspondents not being able to procure a vessel to ship the said goods in, direct for North Carolina, were compelled to send them by way of Charleston in South Carolina. That upon the arrival of the said goods at the last mentioned place, your Petitioners were not permitted to reship them from thence to Wilmington as has been customary under the articles of confederation previously to the adoption of the new Constitution without the said Goods being subject to any duties there, but on the contrary were compelled to pay duties upon the same agreeably to the Impost Law of Congress, which duties your petitioners were actually obliged to pay by a Resolution which Congress

thought proper to adopt in consequence of this State having refused to agree to the new form of Government.

Your Petitioners beg leave further to set forth, that notwithstanding the payment of the duties as aforesaid, they were obliged upon the arrival of the goods at Port Brunswick from Charleston to secure the duties thereon agreeable to the Acts of Assembly of this State. They therefore beg leave to suggest, that as the duties they paid upon the said Goods in Charleston will be applied to the Benefit of the United States of which this State is now a part of it will consequently be a species of oppression upon your petitioners to compel them to pay the additional duties bonded in this State from which they have the most reasonable claim upon the wisdom and justice of your honorable Body to grant them relief.

Your Petitioners therefore humbly pray your honorable Body to give direction to the Collector of Port Brunswick to cancel the Bonds which he hath taken from your Petitioners, on all importations made by them under the circumstances they have herein set forth, or to grant them such other relief in the premises as to your honors may seem meet. And your Petitioners as in duty bound shall ever pray, &c.

The Committee on the Memorial of John Bradley, John Ingram and George Hooper, Report,

That the petitioners did order their correspondents in London to ship them certain merchandize to the Port of Wilmington as specified in their Memorial.

That their correspondents did ship the same in the month of June last by the way of Charleston, for Wilmington, on board the Maria, Captain Dennison, viz: On account of Ingram and Hooper one thousand and seventy-five pounds nine Shillings; on account of George Hooper & Co., eleven hundred and eighty-four pounds, and on account of John Bradley eight hundred pounds sterling, and that the same arrived in Charleston in September for which said Merchandize the said Memorialist were obliged to secure the Continental duty agreeably to the import Law of Congress.

That the Memorialists had the same Merchandize shipped on the Schooner Wilmington, Capt. Swain, for Wilmington, at two different shipments, which shipments arrived at Wilmington in September and October last, where the Collector of Port Brunswick obliged the

Memorialists to enter the same Merchandize and give bond and security for the duties of the same agreeable to Law.

Your Committee therefore recommend that the Collector of Port Brunswick be directed not to require the payment of the Bonds for the State duties on the said Merchandize till the meeting of the next General Assembly, at which time, if it be found, that this State is to participate of the Congressional duties secured to be paid as aforesaid, then in such case the said Bonds shall be cancelled and made void, otherwise the same shall be collected as other State duties. Your Committee considering that it would be unreasonable in the State to require two imposts on the same Merchandize, and that it would be a hardship on the Memorialists to pay the same.

JNO. STOKES, Chair.

The House adjourned until Monday morning 9 o'clock.

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MONDAY, 21 December, 1789.

The House met according to adjournment.

The resignation of Matchet Herring, a Justice of the Peace, was read, accepted of by this House and sent to the Senate.

The Committee to whom the Memorial of James Kerr, one of the administrators of Galbreath Falls, deceased, was referred, Report.

That it appears the deceased Captain Falls, had not finally closed his accot's as Sheriff of Rowan County, for the year 1777 at the time of his death, which happened in action at Ramseurs. That the administrator, James Kerr, in examining and arranging the papers of the deceased found a Certificate of an allowance of the General Assembly in the year 1779, to the said deceased, for nine hundred and eighty-two pounds sixteen Shillings, also a receipt from General Rutherford for the sum of fifteen hundred & forty nine pounds two Shillings, which last sum was drawn agreeably to an order of General John Ashe, Treasurer of the Southern District.

The Committee on examining the vouchers, together with the propriety of admitting a sum of money in old dollar Bills, which the Administrator also found among the papers of the deceased, as a credit in the settlement of the said Sheriffalty, are of opinion they are good vouchers, and beg leave to recommend that the Comptroller be directed accordingly; also the Committee recommend that the

Comptroller be directed to debit General Rutherford with the aforesaid sum of fifteen hundred and forty nine pounds two Shillings.

Which is submitted.

WYATT HAWKINS, Ch.

Resolved, That the House do concur with this report.

The Bill for the relief of securities in joint obligations was read the third time and rejected.

Received from the Senate the report of the Committee on the Memorial of John Herritage. Endorsed, read and concurred with. This report being read, was laid over until the next Assembly.

Received also, the report of the Committee on the recommitment of the report of the Committee in favour of Richard Blackledge; and the report of the Commitee to whom was referred the inquiry respecting the Warrants drawn on the Treasurer in favour of Colo. Outlaw, Concurred with by that House.

Received from the Senate a Bill to repeal part of the 20th clause of an Act passed at Hillsborough in the year 1784 intituled "an Act to prevent the exportation of unmerchantable commodities." Endorsed, read the second time and passed. This Bill was read for the third time in this House, passed and returned to the Senate.

Received from the Senate a Bill to alter the names of Nancey John and Keziah Lytle, children of Sarah Nichols, formerly Sarah Lytle, of the Town of Hillsborough. Endorsed, read the second time and passed. This Bill was read for the third time in this House, passed and returned to the Senate.

Received from the Senate a Bill for allowing a further time for the securities of James Williams, Esquire, to make payment for certain Lands therein mentioned. Endorsed, read the second time and passed. This Bill was read the second time in this House, passed and returned to the Senate.

Received from the Senate a Bill to repeal part of an Act passed at New Bern intituled "an Act to divide the district of Morgan." Endorsed, read the third time and passed. This Bill was read the third time, passed and ordered to be Engrossed.

Received from the Senate the following Message:

Mr. Speaker & Gentlemen:

We do not concur with the Proposition of your House relative to

making up the estimate to include Tuesday next, but propose that they include Wednesday.

Ordered that the following Message be sent to the Senate:

Mr. Speaker & Gentlemen:

We do not agree that Wednesday shall be included in the estimate, being of opinion that the General Assembly will rise to-morrow.

Received from the Senate the report of the Committee of John Markland. Endorsed, read, amended and concurred with. This report being read, the following Message was ordered to be sent to the Senate:

Mr. Speaker & Gentlemen:

We do not concur with the report of the Committee on the Memorial of John Markland, as amended by the Senate, but propose as a further amendment to the report that Mr. Markland's pay be estimated at the rate of Eight Shillings per day instead of twelve, & the latter part of the report made conformable; this amendment made the Commons will then concur.

Received from the Senate a Bill to amend an Act passed at New Bern in November, 1784, intituled "an Act to explain, amend and supply the deficiencies of an Act passed at Hillsborough intituled an Act to regulate the descent of real estates, to do away entails, to make provision for widows, and to prevent frauds in the execution of last Wills and Testaments, and for directing how deeds of gifts and bills of sales of Slaves shall be executed, autheticated & perpetuated;" which was read the third time, amended & the question being put, shall this Bill pass, was carried in the affirmative; whereupon the yeas and nays were called for by Mr. E. Jones, and seconded by Mr. Hawkins, which are as follows, to-wit:

Yeas—Messrs. Wood, Grice, McKay, T. P. Williams, Cowan, D. Stewart, Grove, Sawyer, T. Johnston, J. Hill, Handley, Person, Yancey, Holland, Porter, Brevard, J. Brown, Barrot, Z. Wood, J. Stewart, Wallace, Perry, B. Smith, Armstrong, Mebane, Everagin, Reading, Rhea, A. Phillips, Bethell, Nash, N. Brown, Ewing, Spruill, Dickson, Sanders, Lock, T. King, B. Jones, Chambers, J. Johnson, T. Blount, Snead, Stokes, S. Allen, Lennard, Tyson, McDowall, Junr., Dauge, Hines, E. Phillips, Barnes, Outlaw, J. H. Bryan, Wilson, Mathews, White, Lindley, Spicer, Peters, Phifer, Davie, Maclaine, E. Williams.—64.

Nays—Mesrs. E. Jones, E. Hamilton, W. Hawkins, Spiller.—4.

Received from the Senate a Bill to repeal part of an Act intituled "an Act for appointing an Agent and holding a treaty with the Cherokee Indians and for other purposes." Endorsed, read the second time and passed. This Bill was read for the second time in this House, passed and returned to the Senate.

Ordered that Mr. Pugh have leave to absent himself from the service of this House.

Received from the Senate a Bill to amend and enlarge an Act passed at Tarborough in the year 1787 intituled "an Act authorising and impowering the County Court of Pleas and Quarter Sessions to divide and appropriate the real estates of intestates." Endorsed, read the second time and passed. This Bill was read for the second time in this House, passed and returned to the Senate.

Received from the Senate a Bill for allowing longer time for surveying lands entered in the office kept by John Armstrong, Military warrants and pre-emption rights. Endorsed, read the first time and passed. This Bill was read the first time in this House, passed and returned to the Seante.

Received from the Senate a Bill to alter the present mode of swearing Petit Juries in the Courts of Law in this State. Endorsed, read the second time and passed. This Bill was read the third time in this House, passed and returned to the Senate.

Mr. Hill from the joint Balloting for Councillor, an additional Judge, and Attorney General for Mero District, Reported,

That Griffith Rutherford was Elected Councillor, John Stokes, Esquire, additional Judge, and Andrew Jackson, Attorney General for Mero District, &c.

Resolved, That the House do concur with this Report,

Whereas, the Legislature of this State by their Acts have from year to year, greatly increased the duties of the public Treasurer without augmenting his Salary; and whereas, this General Assembly hold themselves in Justice bound not only to express their approbation of the conduct of the Treasurer but likewise to vote a reward which shall be adequate to his past services;

Resolved therefore, That in consideration of the many services rendered this State by John Haywood, Esquire, public Treasurer, and as a testimonial that his official conduct hath fully met the approbation of the General Assembly, he be allowed for the year 1789,

in addition to his public salary, the Sum of two hundred pounds.

The Committee to whom was referred the Memorial of Jennet Burges, Report,

That it is the opinion of the Committee that the Comptroller be directed to issue a Certificate in the name of Jennet Doak, orphan, for the articles furnished the public by John Doak, deceased, to the amount of the principal and interest, Eighty two pounds Seventeen Shillings and seven pence, calculating the interest from the time the accounts were exhibited to the auditors, and that the vouchers upon which this account is raised be lodged with the Comptroller.

All which is submitted.

J. STOKES, Chn.

Resolved, That the House do concur with this report.

Resolved, That the public Treasurer advance to Major Thomas Evans fifty pounds in part of his pay as Major Commandant of the Troops raised for the defense of Davidson County, and be allowed the same in the settlement of his accounts.

Resolved, That Matthew Collins, late a Soldier in the Continental line of this State be placed on the pension list for the District of New Bern, and be intitled accordingly, and that the Commissioners of said District for that purpose give him a Certificate accordingly.

Resolved, That Mr. John Craven, Clerk to the Treasurer, shall for the present Session of Assembly, and for every Session which shall happen hereafter whilst he continues in that employ, be allowed in addition to his salary by law, the same wages which the Committee Clerks at such Assembly shall draw in proportion to the time he may attend as a reimbursement for his expenditures in attending the Assemblies, and as a further reward for his extraordinary Services during the time of their Sessions.

The Sub-Committee of Finance, No. 6, to whom was referred that part of the Treasurer's Message to the General Assembly which respects the final settlement Certificates in his possession, having considered the same beg leave to report the following Resolution, to-wit:

Resolved, That the Public Treasurer be and he is hereby directed to continue to take charge of the final settlement certificates now in his possession from this time until the first day of July next, and to issue them to claimants on the same principles on which they were issued previous to the passing a resolution respecting the issuing them by the last Assembly. That on the said first day of July next,

or as soon after as possible, he deliver the balance then remaining in his hands to the Governor of this State to the end that he may take order (either by forwarding them to the agents of this State at New York or otherwise as to him shall seem proper) for getting them exchanged on the best terms for such facilities as will pass to the credit of this State in her accounts with the United States, in part of any of the specie requisitions made by Congress on this State.

Resolved also, That the public Treasurer into whose hands the final settlement Certificates were delivered by Major Robert Fenner, pursuant to a resolve of the General Assembly at their Session in 1786, do make up his accounts as to that particular and lay them before the next General Assembly, with whom he shall finally settle and close the same; that in doing this he charge himself with the amount of the Certificates delivered him by Major Fenner, that he produce an attested Copy of his receipt given to Mr. Fenner for the said Certificates, that he credit himself by the amount & the receipt which he may obtain from the Governor under this resolution and by the amount of his vouchers for certificates issued, and that on a final adjustment of his accounts in this behalf, to be made by the next General Assembly as aforesaid he shall receive such compensation as his services therein may appear to have justly entitled him to; and

Resolved further, That the public Treasurer procure of Major Fenner a full and accurate transcript of the settlement he made as Agent of the North Carolina line with the Continental Commissioners of Army Accounts, with the notes of all Certificates delivered by Major Fenner to the respected officers and Soldiers by orders or otherwise, previous to his delivery of any final setlement Certificates into the Public Treasury.

Resolved further, That the Public Treasurer require of Major Fenner a delivery of the Bills of exchange that remain in his hands drawn by the Board of Treasury on the Commissioner of Loans in this State, with the names of all the officers thus drawn in favour of.

All which is submitted.

THOMAS PERSON, Chn.

Resolved, That the House do concur with this report.

Received from the Senate a supplemental Bill to the act intituled "an Act concerning old titles of Land, for limitation of Actions, and for avoiding Suits at Law." Endorsed, read the second

time and passed. This Bill was read the third time in this House, passed and returned to the Senate.

Ordered that the following Message be sent to the Senate:

Mr. Speaker & Gentlemen:

This House having no business before them request the Senate to forward such as they may have passed upon.

Received from the Senate a Bill for raising a fund for erecting the buildings and for the support of the University of North Carolina. Endorsed, read the third time & passed.

This Bill was read for the third time, passed and ordered to be Engrossed.

Resolved, That the public Printers of this State be and are hereby directed to send the Acts passed this present Session of Assembly which are for the District of Washington to Salem, and lodge them in said Town, with Mr. Bloom.

Received from the Senate a Bill for allowing longer time for surveying lands entered in the office kept by John Armstrong, Military Warrants & pre-emption rights. Endorsed, read the second time and passed. This Bill was read for the second time in this House, passed and returned to the Senate.

Received from the Senate a Bill to repeal part of an Act passed at Tarborough 1787, authorizing James Iredell, Esquire, to revise and publish the Laws of this State. Endorsed, read the second time. and passed. This Bill was read the third time in this House, passed and returned to the Senate.

Received from the Senate a Bill to repeal part of an Act intituled "an Act for appointing an Agent & holding a treaty with the Cherokee Indians & for other purposes." Endorsed, read the third time and passed. This Bill was read the third time, passed & ordered to be Engrossed.

Received from the Senate the Resolution of this House allowing John Haywood, Esquire, public Treasurer, two hundred pounds, concurred with.

Whereas, the business of the Comptroller has become very burthensome by reason of being obliged to remove from place to place by order of the General Assembly; and whereas it is just and right that all public officers be allowed a Salary adequate to their services; Therefore,

Resolved, That the Comptroller be allowed the sum of one hundred pounds as an addition to his salary for the year one thousand seven hundred & ninety, and that the Treasurer be directed to pay him the same and be allowed in settlement of his public accounts.

Resolved, That the Commissioner of Confiscated estates in the District of Salisbury be directed not to demand payment of those persons who purchased any part of the estate of James Kerr, but that he deliver to them their Bonds given for the same, it having been proven to the satisfaction of this General Assembly, that the Judges of the Superior Court at Salisbury did decide and adjudge, that the estate of the said Kerr was not confiscated or forfeited.

Whereas, sundry persons, Citizens of this State who became purchasers of Confiscated property at the sales had in the districts of Salisbury, Hillsborough and New Bern, about the close of the year 1782, from a misconstruction of the Law directing such sales, did give their bonds payable in cash for the full amount of the property by them purchased, believing they should at any time thereafter, be at liberty to pay off such bonds with money to the amount of one third, and with Certificates to the amount of the remaining two thirds, altho' the Act of Assembly had in fact held out that condition in case the Certificate payment was a prompt one, but not otherwise; And whereas, this General Assembly are of opinion that the compelling purchasers of the above description to pay up the full amount of their Bonds in actual Cash would be unjust and would ultimately prove ruinous to numbers of them; Be it therefore,

Resolved, That the Public Treasurer be and he is hereby directed, in settlement of all bonds given as aforesaid, to permit the payor to discharge and pay off two thirds of the same in Certificates, calculating the Interest thereon in such manner and receiving the Certificates on such principles, as to make them of the same value to the State as if they had been paid on the day of sale.

Resolved, That this resolution shall extend not only to those purchasers whose bonds express the full amount of the purchase money, but to such of them also who may have paid a part of the purch money in Certificates, but a sum not equal to the two thirds of the amount of their original debit; Provided nevertheless, that nothing contained in the above resolutions shall be so construed as to exonerate the purchasers of confiscated property from the payment of one third part of the full amount of the purchase in actual money with

Interest thereon; And provided also, that none of the purchasers aforesaid shall be considered as being entitled to the benefits of these resolutions unless they avail themselves of them by making an actual payment to the full amount of the Certificate part of their Bonds on or before the first day of April which shall happen in the year 1790, and

Resolved further, That all persons who purchased and gave bonds as aforesaid who do and shall appear at the Superior Court to be held for the district of Hillsborough, on the first day of April next, and confess Judgment for the remaining one third of their bonds (which together with the Interest of such one third shall be paid in Cash), shall be entitled to a stay of execution on Judgment for the space of twelve months, the party confessing Judgment being nevertheless liable to pay Interest on the amount of the Judgment so confessed, until the same shall be completely recovered and paid into the Treasury.

The House adjourned until four O'clock P. M.

Met according to adjournment.

Mr. Hawkins, from the Committee of Propositions and Grievances to whom was referred the Memorial of Francis Child, delivered in a report thereon, which being read was rejected.

Received from the Senate the following Message:

Mr. Speaker & Gentlemen:

We consent to amend the report of the Committee on the Petition of John Markland as by you proposed.

The Report above alluded to was again taken up, concurred with by this House as amended, and returned to the Senate.

Resolved, That the thanks of the General Assembly be presented to Colo. Benjamin Smith of Brunswick County for his very generous donation of Twenty Thousand Acres of Land to the University of North Carolina, and that this resolution be published in all the Gazettes of this State.

Received from the Senate the resolution of this House directing the Printers to lodge the Acts for Washington District, &c., at Salem; and the resolution directing the Public Treasurer to advance fifty pounds to Major Thomas Evans, Concurred with.

Resolved, That the public compass now in the possession of John

Williams, Esquire, in Caswell County, be delivered to Thomas Person, Esquire, for the University of North Carolina.

Received from the Senate the resolution of this House for presenting the thanks of the General Assembly to Benjamin Smith for his generous donation to the University of this State, concurred with

Received from the Senate the following Message:

Mr. Speaker & Gentlemen:

The resolution of your House relative to a Compass we have rejected & send you one herewith which we propose in lieu thereof.

The resolution above alluded to, being read was concurred with and returned.

Received from the Senate a Bill for allowing longer time for surveying Lands entered in the office kept by John Armstrong, Military Warrants & pre-emption rights. Endorsed, read the third time and passed. This Bill was read the third time in this House, passed and ordered to be Engrossed.

Resolved, That the Treasurer settle with Mr. Baird, late Sheriff of Rowan County, and make the same allowance of Interest on the Certificates by him paid into the Treasury as to the other Sheriffs on Certificates of the like nature.

The Reports of the Committee of Claims were read, concurred with and sent to the Senate.

Received from the Senate a Bill for establishing two places for holding General Musters in the County of Wilkes, Burke and Rutherford and the place of holding Courts Martial, and for altering the manner of holding Elections of Members to represent said Counties in the General Assembly. Endorsed, read the third time and passed. This Bill was read the third time in this House, passed and ordered to be Engrossed.

The Chairman of the Committee of Propositions and Grievances delivered in the Memorial of Patrick Traverse and the Petition of John McKethin, which had in the course of this Sesion been referred to the Committee. Ordered that they lie over until the next Assembly.

The Committee to whom was referred the resolution of the 17th Instant, proposed by Mr. John G. Blount, reported that they are of opinion that the same would be just and proper.

All which is submitted.

WYATT HAWKINS, Chn.

Ordered that this Resolution lie over until the next Assembly.
The House adjourned until To-morrow Morning nine O'clock.

TUESDAY, 22 December, 1789.

The House met according to Adjournment.

Received from the Senate the resolve of this House directing in what manner the Treasurer shall settle with Mr. Baird, late Sheriff, &c., and the resolve in favour of Matthew Collins, concurred with.

Resolved, That James Iredell, Esquire, be authorised to revise and publish the Laws of this State in such mode, form and manner as his own knowledge and directions may direct.

The resignation of William Mooney, a Justice of the Peace for Brunswick County, was read, accepted by this House and sent to the Senate.

Received from the Senate a resolve of that House allowing John Carney for removing the papers of the Senate, &c., which being read was concurred with and returned.

Received from the Senate a Bill for allowing a further time for the Securities of James Williams, Esquire, to make payment for certain Lands therein mentioned. Endorsed, read the third time & passed. This Bill was read the third time in this House and rejected.

Resolved, That James Iredell be allowed the sum of two hundred and Fifty pounds towards defraying the expence of the revision of the Laws of this State.

The Committee who were authorised by the General Assembly to burn such money unfit for circulation as they should find in the Treasury, having executed that trust, Report,

That they have counted and burned, pursuant to the direction of the House, the sum of Two Thousand six hundred and forty one pounds seven Shillings, which was all the money delivered to them by the Treasurer which they thought unfit for circulation.

MATT. LOCK, Chn.

Resolved, That the House do concur with this report.

Whereas, it appears that David Vance, Commissioner of Specifics in the County of Burke, for the years of 1780 and 1781, stands charged with a considerable sum on the Comptroller's Book; And whereas, it also appears that said Commissioner would have had it in his power to have made a Final settlement with the Comptroller,

but when the accounts were produced the Comptroller did not consider himself justifiable to allow the Insolvents, allowed by the County Court of Burke; Therefore,

Resolved, That the Comptroller be directed to credit such Commissioner with the Insolvents allowed by said Court of Burke, and that the Treasurer decline bringing Suit against said Commissioner for Six months.

Resolved, That John Wilson be allowed the sum of Twelve pounds nine Shillings for Sundries found for the use of the General Assembly and that the Treasurer be directed to pay him the same and be allowed in the settlement of his public accounts.

Resolved, That John King, a witness in behalf of the State against Shadrick Henderson, be allowed four pounds one shilling for his attendance as such, and that the Treasurer pay him the same.

Received from the Senate the following Message:

Mr. Speaker & Gentlemen:

On reading the book containing the reports from the Committee of Claims we propose that the allowance by you rejected in favour of John Arnold, Esquire, be allowed, and that Twenty pounds allowed Mrs. Dupree for a Negro executed, be made Eighty pounds; with the rest we have concurred.

Ordered that the following Message be sent to the Senate:

Mr. Speaker & Gentlemen:

We cannot concur with your propositions relative to the claims of Mr. Arnold & Mrs. Dupree.

The resignation of Joab Blackman, a Justice of the Peace for Sampson County, being read was accepted by this House and sent to the Senate.

Received from the Senate the resolution of this House allowing James Iredell two hundred and fifty Pounds; the resolution directing Mr. Iredell relative to the revision of the laws, and the resolution allowing John King four pounds one Shilling, concurred with.

Received from the Senate the report of the Sub-Committee of Finance, No. 6, Concurred with.

Resolved, That the Attorney General be directed to foreclose the several Mortgages which the State has on several Tracts of Land purchased by John Williams from the Commisioners of Confiscated property for the District of Hillsborough, and procure a decree in the Court of Chancery in Equity to sell the said Lands and that the

Public Treasurer stay the proceedings at Law against the Securities of the said James Williams until the decree be had and carried into effect.

Resolved, That the Treasurer be and he is hereby directed and authorised to pay to the widow of General William Davidson the half pay that will be due for the year 1790, when called for.

Whereas, it hath been made appear to this Assembly that several persons have lost Tobacco notes for Tobacco Inspected at the Fayetteville Warehouses, and the persons owning the same are greatly injured by reason of their Tobacco being withheld by the Inspectors until the notes are produced; therefore,

Resolved, That the said Inspectors are authorised to deliver the Tobacco for which the notes have been so lost upon the persons demanding the same and giving sufficient Bond and Security to endemnify the said Inspectors.

Received from the Senate a resolution of that House allowing John Herritage until the next Assembly to close his accot's as a Commissioner of Confiscation; which being read, was concurred with and returned.

The Commitee of Finance upon the Martinique debt, report,

That upon examining the debt due to Government of Martinique, there appears to have been due on the Fifteenth of October, 1788, a balance of four thousand eight hundred and twenty-six dollars 63-90; calculating the interest until the same day 1789 will amount to one hundred and twenty-one pounds one Shilling and a penny, the whole amounting to two Thousand one hundred & fifty one pounds fourteen Shillings and four pence. It appears to the Committee that the Tobacco purchased last year could not be disposed of in such manner as would discharge the debt. The Committee beg leave to remark that they find the demands for their money very urgent, that the debt is fast accumulating by interest, therefore submit to the House to devise the most eligible method of speedily discharging the same.

All which is submitted.

WM. MACLAINE, Chn.

The House taking this report into consideration concurred therewith; and

Resolved, That John Stewart be and he is hereby appointed Commisioner to sell and dispose of the Tobacco refused by the Agent of

Royal, Flint & Co., for the most in cash that can be got for the same, as soon as possible; that for his service, trouble and expence he be allowed a Commission of five per cent., and before he proceeds on the said business shall give bond with good security to the Governor for the time being, and his Successors, in the sum of three thousand pounds for the faithful discharge of the trust aforesaid, which shall be taken by the Governor and lodged in the Comptroller's office.

Resolved, That the said John Stewart pay the proceeds of the said sales as early as possible, into the Treasury, and that the Martinique debt be discharged in such manner as the Governor and Council may think proper under a resolution passed this day for that purpose.

Received from the Senate the report of the Sub-Committee, No. 2, to whom was referred the papers relating to the purchase and sales of the public Tobacco, Concurred with by that house; which being read, was concurred with by this house and returned.

Resolved, That James Porterfield, Commissioner for the purchase of Tobacco at Fayetteville, be allowed until the first of March next to settle his public accounts with the Comptroller, and if the said Commissioner shall fail to settle his account in the time aforesaid, that the Treasurer be directed to bring suit against the said Commissioner for all the monies, or any part thereof which may remain unaccounted for.

Received from the Senate a resolution of that house appointing John Stewart to receive the public Tobacco stored at Daleys, &c., for the purposes therein mentioned; which being read was rejected, and the following Message ordered to be sent to the Senate.

Mr. Speaker & Gentlemen:

We do not concur with your resolution relative to the appropriation of the public Tobacco refused by the Agent of Royal, Flint & Co., and herewith send you one on that subject for your Concurrence.

Whereas, a resolve passed in the General Assembly that the Certificates which a certain House and lot sold for as confiscated property of Edward Bridgen be returned to the Heirs of the said Bridgen; And whereas, the Comptroller has refused to return the said Certificates to the said Heirs, alleging he had previously defaced the same by order of the General Assembly;

Resolved therefore, That other Certificates be issued by the Comptroller to the same amount of those so defaced, with interest from

the date of the aforesaid resolve, to fulfill the intentions of the same resolution,

Received from the Treasurer the following Message:

To the Honorable the General Assembly:

Gentlemen:

Pursuant to the Act of 1786 I herewith lay before you for publication copies of my accounts as Treasurer for the year 1789. The lists of balances which were ordered by your resolution to be printed, are not yet finished; I am told by the printer he will have them compleated by four O'clock this afternoon, as soon as they are done they shall be sent to the two Houses.

The paper mould and other devises used in making the last emission of Money are still in my office, as it is highly probable they will never hereafter be necessary or be used, and as they may by accident possibly become either stolen or lost, I have thought it my duty to remind you they are in existence to the end you may order them destroyed if you think proper.

The enclosed notifications are expressive of the intention of them, I have taken the liberty of sending them to the General Assembly in this manner, in order that they may be delivered out as directed, and forwarded by the Members to the respective Counties in the State.

JOHN HAYWOOD,
Publ. Treasurer.

Resolved, That the Paper mould in the possession of the Public Treasurer be destroyed in the presence of the three Members who represent the County of Orange in the present General Assembly.

Received from the Senate the report of the Committee on the representation of the Treasurer in favour of Thomas Martin. Endorsed, read and concurred with. This report being read was rejected, whereupon.

Resolved, That Major Thomas Martin be allowed the sum of forty-eight pounds nine shillings and seven pence as an extra payment to the Cumberland Battalion for provisions over and above the amount of the taxes appropriated to that service and that any holder of public Monies in the District of Mero pay him the same and be allowed therefor in the settlement of his accounts.

Received from the Senate a resolution of that House allowing the

Counties of Washington, &c., to pay their Taxes; which being read was concurred with and returned.

Received from the Senate the resolution of this House allowing John Wilson a sum therein mentioned;

A Resolve appointing John Stewart to sell & dispose of certain Tobacco, &c.;

A Resolve directing the Comptroller to credit David Vance for Insolvents, &c.;

A Resolve allowing John Craven, Clerk to the Treasurer, the pa of Engrossing Clerks, &c.;

A Resolve directing the Attorney General to foreclose the Mortgages therein mentioned, &c.;

A Resolution directing the Treasurer to pay the widow of General Davidson half pay for the year 1790;

Sundry Resolutions of yesterday's date relative to the payment of bonds given for confiscated property purchased, &c.

Severally Concurred with.

Received from the Senate the following Reports, concurred with by that House, to-wit:

On the Memorial of Jennett Doak;

On the Petition of William Griffin;

On the Petition of Francis Owens;

On the Memorial of Ptolemy Powell;

On the Memorial of Henry Giles;

On the Memorial of Francis Thackston;

On the Memorial of Doctor Isaac Alexander;

On the Petition of William Armstrong;

On the Memorial of James Kerr, Administrator, &c.;

On the Memorial of Spruce McKay;

On the Petition of Elijah Hadden;

On the Petition of Thomas Horsey; and

The Report for burning the ragged money.

Received also, the following reports for the concurrence of this House, which being read were concurred with and returned, to-wit:

On the Petition of John McNeil;

On the Memorial of Lewis Baird and others;

On the Memorial of John Wright, Junr.;

On the Memorial of Robt. Hays;

On the Memorial of John Brevard;

On the Petition of Neill Ray;
On the Petition of Thomas Jones;
On the Memorial of Billy Hughs;
On the Petition of Joseph Green, and
On the Petition of William Gilbert.

On a motion made by Mr. Mebane, Ordered that Mr. Blackledge have leave to withdraw from the House his accounts and vouchers.

The House adjourned until 4 O'clock P. M.

Met according to adjournment.

Received from the Senate the report of the sub-Committee of Finance upon the Martinique demand;

The Resolve in favor of Thomas Martin;

The Resolve directing the paper mould in possession of the Treasurer to be destroyed, and

The Resolve directing the Comptroller to issue Certificates to the Heirs of Edward Bridgen, severally concurred with.

Ordered that the bill to amend an Act intituled "an Act for establishing Courts of Law & for regulating the proceeding therein," &c. be laid over until the next Assembly.

Resolved, That Messrs. Sibley and Howard, printers in Fayetteville, be allowed the sum of Eighty pounds for the printing business by them done for this General Assembly, and which the Clerk of this House contracted for, agreeable to a resolution of the General Assembly.

Resolved, That Thomas Person be requested to deliver to the Comptroller a receipt given to him by Robert Denny for sixty Thousand pounds received for the use of the Continental Army, & that the Comptroller transmit to the Agents of this State the said receipt in order that they may obtain a credit for the same with the United States.

Resolved, That James Moore be allowed the sum of Thirty nine pounds for fire-wood and Candles supplied for the use of the General Assembly.

Received from the Senate the resolution of this House allowing Messrs. Sibley & Howard Eighty pounds, concurred with.

Resolved, That the Clerks of the Assembly be allowed each three pounds Ten shillings per day, and Twenty Shillings for every Thirty Miles traveling; The Engrosssing Clerks forty Shillings per day & Twenty Shillings for every thirty Miles traveling; the Doorkeepers

each per day Thirty Shillings, and Twenty Shillings for every thirty miles traveling; and Richard Frier for drawing and Engrossing Bills, Thirty Shillings for every day's attendance on this Assembly.

Received from the Senate the resolution of this House ascertaining the pay of the Clerks, &c., concurred with.

Received from the Senate the Resolution of this House allowing James Moore thirty nine pounds, & the resolve requesting Thomas Person to deliver a receipt to the Comptroller for the sum therein mentioned, &c., Concurred with.

Received from the Senate the resolution of that House declaring John Sevier to be the Brigadier General of the District of Washington, &c.; which being read, was concurred with and returned.

Received from the Senate the following Message:

Mr. Speaker & Gentlemen:

We do not concur with the Resolution by you proposed on the subjects of Tobacco notes lost or misplaced, but send you one which we have adopted in lieu thereof.

The Resolution referred to in the foregoing Message being read, was concurred with and returned to the Senate.

Ordered that the following Message be sent to the Senate:

Mr. Speaker & Gentlemen:

This House having gone through the public business now propose to adjourn *Sine Die.*

Received from His Excellency the Governor, the following Message:

To the Honorable the General Assembly:

Gentlemen:

As the session is drawing near to a close, and you about to return to your respective Counties where your Constituents will no doubt be anxious to receive such public information you will please to communicate, who reposing confidence in you, will be influenced with your sentiments of political measures more or less, as you yourselves appear to be actuated with; and as a great event hath turned up during your Session not only interesting to them but the Citizens of the United States, the adoption of the Federal Constitution by the Convention of this State, I beg leave to draw your attention a moment to this subject, and impress on your minds a few observations.

That this event must be the subject of great joy to our sister States, as well as to our friends and allies in Europe, on hearing that one important link late broken in the American Union is again restored; That unanimity, the great Basis of all Civil Government is about again to pervade the whole of our Councils, and we become again a member of this Federal body and made to participate of all the advantages arising therefrom, and should there be disadvantages we have the highest reasons to hope the balance will be much in our favour, yet all trying time must determine the question. However at this early dawn of the new Government fair prospects seem to brighten and promise a propitious day.

Although some of the great establishments have been formed on which it is to be wished this State had borne her part at an earlier period, yet an ample field is still open to distinguish herself, and give weight to the Continental Scale. Perhaps it is all for the best, that this State hesitated and was not precipitate in Ratifying a form of Government intended to last for ages, without maturely deliberating how far the lives, liberties and properties of her Citizens were to be protected and secured by it. A jealousy of their rulers ought to subsist in all free Governments as the grand check that freedom hath over tyranny.

From this Spirit the British Government, acknowledged in theory by the greatest politicians and most learned societies in the world as the most perfect Model of a free Government under Heaven, for a long tract of time with all its practical vices hath derived its chief support.

Although the new American Government may still have its defects, it is impossible it could arrive at perfection in a day; what is deemed a perfection now may hereafter be found a defect, what hath been reprobated as a defect, may in future approach perfection. It is experience alone, after the grand machine is put in motion must make the discovery. This truth the history of all nations evinces. That of our Ancestors declared it required a thousand years to shape their Government in its present beautiful, tho' vitiated form. An Alfred laid the foundation & a William the Third completed the structure.

Let us remember we embarked with our Sister States in one bottom making one common cause, which by the effusion of kindred and united Blood spent in its support hath cemented our mutual inter-

ests in one great Family that hath gained a rank among the nations as an independent Sovereignty. That purchased at so dear a price the American Government was too precious a prize to ever become the sport & prey of restless faction, or enterprising ambition, without affording it the necessary means for its own security and the protection of its Citizens. To arm it with additional powers for this great end was the object of the Federal Constitution, which hath been ratified by the Convention of this State as the future form of Government of the United States.

As you, Gentlemen, composed a great part of that respectable body, it is greatly incumbent in you whether as officers or private persons you return to the citizens you represent, to reconcile those jarring sentiments, if any remain, that seemed unfortunately to prevail in different parts of the State. Although the public peace hath not been immediately disturbed, yet invidious distinctions have arisen that tended to that end. Let hereafter the Federal and antefederal name be no more heard as a reproach. Let the people be told that the Government of the United States is still in the power of their Citizens, and so must remain while composed of its present materials. That the President with all his supposed prerogatives of royalty, the Senators with their pretended aristocratic authority, and the Members of the House of Representatives after the several periods of their political existence limited by the Constitution have expired, must all return to the Class of fellow Citizens, be amenable for their conduct and feel with them, the effects of that Government they have administered.

Let our citizens be led to embrace again their Northern and Southern brethren, with former affection and cordiality in the adoption of this new system of Government, that be the same perfect or imperfect, tho' at present the most perfect to be obtained, the same they are determined to stand or fall together in its support, and as they with the other citizens of the United States under the old, notwithstanding its feeble powers, performed wonders in its defence, and have thereby been called a glorious *Band of Brothers,* let the name still inspire them to enter the new Union now fixed on firmer Ground with joy, and with united efforts maintain and defend it against all its enemies and opposers whereever to be found. Lastly let them rest assured that while we all pursue the practice of the great national as well as private virtues, we shall meet the countenance of Heaven, and

that the God of virtue and of liberty who hath so remarkably led those States to Sovereignty and Independence will not forsake them, and suffer them to fall a prey to foreign or domestick tyranny, but will preserve them in his holy keeping.

ALEX. MARTIN.

Fayetteville, 22 Decr., 1789.

Ordered that the following Message be sent to the Senate:

Mr. Speaker & Gentlemen:

We herewith send you a Message of this day's date, from His Excellency the Governor.

John Gray Blount protests against the Bill the better to regulate the Inspection of Tobacco: Because, in the description of the Classes there is not a proper discrimination observed between them, and the Tobacco which is suitable to be placed in the third Class may be placed in the second, from which circumstances every person who reads the law will conclude that the General Assembly which passed it were at least ignorant of the business they were about.

J. G. BLOUNT.

John Alderson protests against the bill for altering the time for holding annual Elections in this State, for this reason, to-wit: Because, agreeable to said Bill an Election cannot be lawfully conducted in the several Counties wherein there are more than one place of Election, particularly in the County of Hyde.

We whose names are hereby annexed, on behalf of the people whom we represent in General Assembly Protest against an Act intitled "an Act for opening a Waggon Road from White's Mill in Hawkin's County to Bledsoe's Lick in Sumner County," passed the House of Commons this present Session, on Account of the following reasons:

1. That the said Act orders the drafting of men to work on the proposed road.

2. To draft for any such purpose appears inconsistent with the principles of a free Government, no draft being to be made but in time of War, or great emergencies.

3. Is a restraint on the liberty of freemen and a grievance unconstitutional, and a dangerous innovation.

4. The people of Sullivan County are one hundred Miles from the place to work on, the people of Washington County the same

distance, which will occasion the expence of travelling nearly to equal that of working.

5. There are reasons it is presumed will evince the said Act to be a restraint of liberty, which will bring this case within the thirteenth clause of the Bill of rights of North Carolina, which is: That every freeman restrained of his liberty, is entitled to a remedy, to enquire into the lawfulness thereof, and to remove the same if unlawful, and that such remedy ought not to be denied or delayed.

John Rhea, representative from Sullivan.

Robert Love, John Blair, from Washington.

I do enter my dissent against the appointment of John Stokes to be Judge of the Superior Court for Morgan District, for the following reasons, vizt:

Because, He accepted that appointment from the last General Assembly and did not resign it till the setting of this Assembly, to enable him with a constitutional appearance to take his seat in the House of Commons for the County of Rowan.

Because, His taking a seat in this Assembly, being a violation of the Constitution, is inconsistent with the character which a Judge ought to support.

Because, such political jobbing is unworthy the representatives of a free people and incompatible with the dignity of the Legislature of North Carolina.

ED. JONES.

Thomas Tyson protests against the passage of the Bill for raising a fund for erecting the buildings and for the support of the University of North Carolina.

1st, Because, He believes it to be repugnant to the Constitution of this State to grant any exclusive emoluments to any man or set of men except for services rendered.

2dly. Applying part of the public revenue to the above mentioned purpose must augment the Tax on the Citizens who can by no means be in any measure benefitted thereby.

Resolved unanimously, That the thanks of this House be given to the Honbl. Stephen Cabarrus, Esquire, for his able, faithful and diligent services as Speaker thereof.

S. CABARRUS, Sp. H. C.

By Order, J. HUNT, C. H. C.

ESTIMATE OF ALLOWANCES TO THE MEMBERS OF THE HOUSE OF COMMONS, DECEMBER, 1789.

| MEMBERS. | Miles Travelling. | Attendance. | Ferriages. | Sums. |
|---|---|---|---|---|
| Stephen Cabarrus | 390 | 51 | £ 4 13 4 | £ 68 13 4 |
| William Wood | 148 | 51 | 4 | 55 18 8 |
| Pleasant May | 148 | 48 | 3 | 53 1 8 |
| Richard Grice | 280 | 51 | 3 | 56 3 |
| Francis Pugh | 330 | 50 | 10 | 61 10 |
| John McKay | 8 | 51 | | 51 5 4 |
| Tho. Pool Williams | 570 | 51 | 5 9 4 | 75 9 4 |
| Andrew Duke | 560 | 46 | 1 15 | 66 8 4 |
| Jo. McDowall | 420 | 44 | | 58 |
| John Cowan | 80 | 51 | | 52 13 4 |
| Duncan Stewart | 80 | 51 | | 53 14 4 |
| Richard Nixon | 240 | 41 | 9 4 | 49 9 4 |
| Malachi Bell | 320 | 51 | 8 | 62 1 4 |
| John Allen | 240 | 51 | 1 | 60 |
| Wm. B. Grove | | 51 | | 51 |
| Enoch Sawyer | 520 | 51 | 3 | 71 6 8 |
| Peter Dauge | 520 | 51 | 3 | 71 6 8 |
| John Womack | 210 | 48 | | 55 |
| Joel Rice | 1500 | 43 | 12 | 93 12 |
| Robert Ewing | 1500 | 51 | 12 | 10 12 |
| Jordan Hill | 180 | 51 | | 57 |
| Etheldred Phillips | 230 | 51 | | 58 13 4 |
| Thomas Sherrod | 170 | 44 | | 49 13 4 |
| David Rice | 420 | 27 | 1 4 | 42 4 |
| Robert Dickens | 210 | 48 | | 55 |
| William Beck | 100 | 48 | | 51 6 8 |
| James Anderson | 90 | 51 | | 54 |
| Jo. Stewart | 110 | 45 | | 48 13 4 |
| Ro. Dickson | 120 | 51 | | 56 |
| Nathan Lassiter | 210 | 49 | 8 | 56 8 |
| Thomas Person | 240 | 51 | | 59 |
| J. Alderson | 420 | 51 | 2 5 | 67 5 |
| John Hamilton (G) | 220 | 49 | | 56 6 8 |
| Daniel Gillispie | 220 | 49 | | 56 6 8 |
| Alex. Outlaw | 780 | 51 | | 77 |
| Thornton Yancey | 240 | 51 | | 59 |
| Lemuel Creecy | 420 | 48 | 4 13 4 | 66 13 4 |
| John Moore | 360 | 51 | 6 | 63 6 |
| Benjamin Williams | 110 | 51 | | 54 13 4 |
| John H. Bryan | 184 | 51 | 2 | 57 4 8 |
| Robert Montgomery | 340 | 51 | 1 3 | 63 9 8 |
| Thomas King | 660 | 51 | | 73 |
| John Bryan | 100 | 51 | | 54 6 8 |
| Musintine Matthews | 290 | 51 | | 60 13 4 |
| Peter Qualls | 280 | 49 | 4 | 58 10 8 |
| Marmaduke Norfleet | 260 | 46 | | 54 13 4 |
| Henry Baker | 340 | 40 | 3 | 51 9 8 |
| Adam Brevard | 280 | 51 | | 60 6 8 |
| James White | 860 | 51 | | 79 13 4 |
| Jacob Johnston | 168 | 51 | 2 | 56 14 |
| William Barrott | 100 | 51 | | 54 6 8 |
| John Spicer | 240 | 51 | 2 | 59 2 |

ESTIMATE OF ALLOWANCES TO THE MEMBERS OF THE HOUSE OF COMMONS, DECEMBER 1789.—CONTINUED.

| MEMBERS. | Miles Travelling. | Attendance. | Ferriages. | Sums. |
|---|---|---|---|---|
| John Bonds | 180 | 51 | | 57 |
| Halcott B. Pride | 320 | 51 | | 61 13 4 |
| Robert W. Snead | 200 | 51 | 4 | 57 17 4 |
| John Stewart | 320 | 51 | 6 | 61 19 4 |
| Wm. Williams | 270 | 51 | 10 | 60 10 |
| Caleb Phifer | 260 | 51 | | 59 13 4 |
| Joseph Douglass | 300 | 49 | 8 | 59 8 |
| Samuel Peete | 300 | 46 | | 56 |
| Shadrack Allen | 232 | 51 | 4 | 58 12 |
| Benjamin Perry | 430 | 51 | 12 | 65 18 8 |
| Wm. Maclaine | 300 | 51 | 4 | 61 4 |
| William Johnston | 160 | 33 | | 38 6 8 |
| James Tindall | 160 | 33 | | 38 6 8 |
| Thomas Tyson | 90 | 49 | | 52 |
| Ashbury Sutton | 470 | 44 | 3 9 8 | 63 3 |
| Alexander Mebane | 180 | 51 | | 57 |
| James Armstrong | 270 | 51 | 19 | 60 19 |
| Edward Everagin | 480 | 51 | 7 | 67 7 |
| Thomas Reading | 480 | 51 | 17 | 67 17 |
| John Drew | 1500 | 51 | | 101 |
| John Rhea | 660 | 51 | | 73 |
| Samuel Chesson | 420 | 41 | 4 | 55 4 |
| Edward Jones | 200 | 51 | | 57 13 4 |
| Abram Phillips | 240 | 51 | | 59 |
| William Bethell | 240 | 51 | | 59 |
| Absolom Bostick | 280 | 49 | 4 | 58 10 3 |
| William Nash | 170 | 51 | | 56 13 4 |
| Neill Brown | 60 | 51 | | 53 |
| John Scott | 660 | 45 | | 67 |
| John Hamilton (E) | 360 | 51 | 4 6 | 67 6 |
| Isaac Guion | 240 | 41 | 18 | 49 18 |
| Gideon Edwards | 340 | 51 | | 62 6 8 |
| Thomas Johnston | 1500 | 51 | 20 | 102 |
| Thomas Hines | 150 | 51 | | 56 |
| Simeon Spruill | 450 | 51 | 6 | 66 6 |
| Phill Hawkins | 220 | 39 | | 46 6 8 |
| James Handley | 160 | 51 | 4 | 56 10 8 |
| Robert Love | 700 | 51 | | 74 6 8 |
| Wyatt Hawkins | 240 | 51 | 1 6 | 59 1 6 |
| Elias Barnes | 90 | 51 | | 54 |
| Britain Sanders | 80 | 51 | | 53 13 4 |
| John Blair,—£2,6s 4d too much last year | 700 | 51 | | 72 4 |
| Matthew Lock | 248 | 51 | | 59 5 4 |
| Aaron Hill | 190 | 23 | | 29 6 8 |
| James Holland | 460 | 51 | | 66 6 8 |
| David Wilson | 1500 | 51 | 12 | 101 12 |
| William Porter | 460 | 51 | 6 8 | 66 6 8 |
| William Robinson | 112 | 51 | | 54 13 8 |
| Benjamin Jones | 400 | 51 | | 64 6 8 |
| Maxwell Chambers | 240 | 51 | | 59 |
| John Brown | 400 | 51 | | 64 6 8 |
| Jonathan Lindley | 180 | 51 | | 57 |

ESTIMATE OF ALLOWANCES TO THE MEMBERS OF THE HOUSE OF COMMONS, DECEMBER 1789.—CONTINUED.

| MEMBERS. | Miles Travelling. | Attendance. | Ferriages. | Sums. |
|---|---|---|---|---|
| John Ellison | 700 | 51 | | 75 |
| Thomas Blount | 220 | 51 | 10 | 52 16 8 |
| Wilson Vick | 200 | 22 | | 28 13 4 |
| Zebedee Wood | 180 | 51 | | 57 |
| Michael Peters | 500 | 51 | 5 5 | 72 11 8 |
| James Spiller | 90 | 51 | | 54 |
| James Thompson | 84 | 34 | | 36 8 |
| John Stokes | 260 | 51 | | 59 13 4 |
| John Wallace | 420 | 50 | 10 9 4 | 74 9 4 |
| Burwell Mooring | 180 | 49 | | 55 |
| William R. Davie | 260 | 46 | | 54 13 4 |
| Ben. Sheppard | 210 | 6 | | 33 |
| Jacob Lennard | 210 | 43 | 4 | 50 4 |
| Benjamin Smith | 180 | 41 | | 47 |
| John G. Blount | 300 | 37 | 13 | 47 13 |
| John S. Campbell | 210 | 37 | | 44 |
| John Baker | 370 | 26 | 5 | 38 11 8 |
| Edward Williams | 120 | 32 | | 36 |
| Jo. McDowall, Jun., | 480 | 38 | | 54 |
| John Hunt, Cl'k | 160 | 53 | @ 70 | 190 16 8 |
| John Haywood, Assistant | 260 | 45 | @ 70 | 166 3 4 |
| John Hunt, for transcript of the Journal | | | | 35 |
| John Hunt for last years' office rent | | | | 25 |
| Pleasant Henderson, Engrossing Clerk | 260 | 44 | @ 40 | 96 13 4 |
| Curtis Ivey, ditto | 80 | 51 | @ 40 | 104 13 4 |
| John Dickson, ditto | 120 | 51 | @ 40 | 106 |
| Richard Freear, ditto | | 46 | @ 30 | 69 |
| John Hunt, for Stationery | | | | 21 1 3 |
| Peter Gooding, Door Keeper | 200 | 51 | | 83 3 4 |
| James Mulloy, ditto | 240 | 51 | | 84 10 |
| Pleasant Henderson, Assist Clerk | | 9 | @ 70 | 31 10 |

RECEIVED OF THE TREASURER, RECEIPTS, NOTES, &c.

| | |
|---|---|
| A. Sutton | £ 63 2 00 |
| Peter Qualls | 58 00 00 |
| John Womack | 55 00 00 |
| T. Hines | 56 00 00 |
| Jo. McDowall | 58 00 00 |
| F. Pugh | 41 00 00 |
| Robert Dickens | 55 00 00 |
| John Scott | 67 00 00 |
| F Pugh | 20 00 00 |
| Saml. Peete | 56 00 00 |

These notes or receipts I destroyed.

J. HUNT.

## MEMORANDUM OF LEGISLATIVE PAPERS.

English, Early & Co., Resolve, Mr. Holland.
Inhabitants Salisbury District, Report, Mr. Lock.
Charles Dicks, Report, Colo. Dauge.
Henry Smaw, Report, Mr. J. G. Blount.
Matthew Lock, Report, Mr. Lock himself.
Lewis McPherson, Report, himself.
William Brandon, Report, Mr. Lock.
Lt. Horse, Hillsbo., (Guard, &c.), Resolve, Mr. Mebane.
John Williams, Comr., Report, himself.
James Fletcher, Report, Wm. Johnston.
James Bonner, Report, J. B. Blount.
Cosimo Medici, Report, himself.
Nicholas Long, Report, Lunsford Lane.
Thomas Benbury, Resolution, Mr. Cabarrus.
Ritchie & Co. & Hooper & Co., Report, Doctr. Ingram.
Thomas Amis and Francis.
Perymant, Report, Mr. Stokes for C. Johnson.
Timothy Riggs, Report, himself.
James Glasgow, Secretary, Resolve, himself.
Samuel Westray, Report, John Bonds.
Thomas Viverett, Report, John Bonds.
Francis Child, Certificate of £20, Alex. Mebane.
John Taylor, Certificate of £5, Alex. Mebane.
William T. Lewis, Report, deld. himself.
John Whitaker, Report, John B. Ashe.
Nancy Horah, Report, J. H. Berger.
Thomas Evans, Resolve, Mr. Dekeser by order.
Alex. Outlaw, Report, Mr. Outlaw.
James Iredell, Resolve, Mr. Cabarrus.
James Iredell, Resolve, Mr. Cabarrus.
John King, Resolve, A. Mebane.
The Comptroller to issue Certificates to the Heirs of Edward Bridgen, Resolve, Edward Jones.
Thomas Martin, Resolve, General Smith.
Joseph Cunningham, Report, Colo. Berger.

Elisha Hadden, Report, Mr. Blair.

Thos. Person to deliver a recpt. to the Comptroller, Report & Recpt., Mr. Person himself.

Sibley & Howard, £80, Resolve, Doctr. Sibley.

Jennet Burges & vouchers, Report, Doctr. Maclaine.

Treasurer to stay the Exors. vs. Richd. Blackledge, Report, Mr. Blackledge.

Thomas Horsey, Report, Edwd. Jones.

Brice & McNeill on Recognizances, Report, Edwd. Jones.

Thomas Withers, Report, Edwd. Jones.

Henry Giles, Report, Spruce McKay.

Spruce McKay, Report, himself.

Wm. Armstrong rejected the vouchers deld. T. King.

Isaac Alexander, Report & vouchers, Spruce McKay.

John Wilson, Resolve, himself.

Resolve for the Judges, themselves.

Resolve of thanks to Ben. Smith, himself.

David Vance, himself.

Public Printers, Enclosed.

Laws for Mero District lodged at Salem, Enclosed.

Court Laws to be printed, Enclosed.

Treasurer to settle with Colo. Outlaw, Treasurer.

Paper mould to be destroyed, Treasurer.

Treasurer allowed, himself.

Resolution respecting sales of Confiscated property, himself.

Resolve to foreclosing Mortgages, &c., Attorney General.

George Hoskins, Treasurer.

Report of the Committee on Finance, No. 6, Treasurer.

Resolution respecting the accts. of L. Baird, Treasurer.

Letter respecting the Boundary line from the Gov. of Virginia, Governor.

No. 27 & 28 laid over.

Mr. Speaker & Gentlemen:

We herewith send you a Message of this day's date from His Excellency the Governor.

Treasurer to settle with Colo. Outlaw, Treasurer.

Paper mould to be destroyed, Treasurer.

Treasurer allowed, himself.

Resolution respecting Laws of Confiscated property, himself.

Resolve to foreclosing Mortgages, &c., Attorney General.
George Hawkins, Treasurer.
No Report of the Committee on Finance.
Report on B. Hawkins' Letter, Cabarrus.
Rept. J. B. Ashe, Willie Jones.
Rept. Hugh McDonald, Self.
Rept. Arthur Brown, Treasurer.
Rept. Jane Simpson, Doctor Sibley.
Rept. on acct. Robt. Rowan, Treasurer.
Treasurer to advance Col. Leech £100, E. Jones.
Wm. Dudley, Resolve, M. Sitgreaves.
Chris. Reddick, Report, Jo. Reddick.
Rept. David Davis, Devotion Davis.
Rept. Wm. Moore, Jo. McDowall.
Rept. Wm. Delancy, Jas. Robinson.
Rept. J. Humphries, himself.
Rept. J. Devane & R. Herring, Tim. Bloodworth.
Rept. Robert Alexander, Colo. Dixon.
Rept. James Kerr, Colo. Dixon.
Rept. John Ellis, Col. T. Brown.
Rept. Stephen Hyde, M. Tindall.

# LETTERS---1788.

## J. ROBERTSON & BLEDSOE TO GOV. JOHNSTON.

[From Executive Letter Book.]

HILLSBOROUGH, Jan. 4th, 1788.

SIR:

On our way homeward at this place we met the Bearer Sergt. Dobbins with Dispatches from Major Evans, Commandant of the Western Battalion, and by him letters from sundry officers and Other Inhabitants of the Counties of Davidson and Sumner giving information that since we set out for the General Assembly the Indians have killed Seven of the Inhabitants, to-wit: Capt. David Steel, James Luson, Peter Bennit, John Stewart, two of the name of Martin and one Jones and wounded sundry others.

This we thought our duty to mention to your Excellency & hope you may think, and if Possible, take some measures to prevent that part of the Country from being depopulated as we understand these last Mischiefs seem greatly to dispirit the Inhabitants. We Judge the Invaders to be the Creek Nation who are at this time Allies to the King of Spain. Might we be permitted to request that your Excellency would be pleased to write to the Minister of that Court now at Congress on that head as we judge his influence with them might prevent further effusions of Blood—Forty-one of our Inhabitants have been massacred within twelve Months, and we are confident that nearly all of them by those Barbarians and Creeks. Will North Carolina suffer her citizens thus to be cut off and not resent it, we are sorry to say the General Assembly heard it & that in a measure unfeelingly, in vain they seemed to hope for better times with their distressed Western Countries.

Might we further beg leave to suggest to your Excellency that a certain Alexander McGilvery of the said Creek Nation, is now in the Character of Intendant under the Court of Spain and Ranks as Lieutenant Colo. Commandant of a Regiment, and is a Man of consequence with that Nation, and we suppose his influence superior to any other person amongst them. If the Minister of Spain now at

Congress would write to him, we humbly conceive he could prevent their further Acts of Savage Barbarity. Should he not think proper so to do, we think the Superintendent to the Southern Department at your Excellency's request would, & in all probability might be of Service—of all these things you will be the best Judge. We hope to be honored with your advice and instructions from time to time, and on all occasions.

Whilst we have the Honor, &c.,

ANTHONY BLEDSOE,
JAMES ROBERTSON.

## SAM'L JOHNSTON TO JOHN HUNT, ESQUIRE.

[From Executive Letter Book.]

HAYS, 4th January, 1788.

SIR:

I am this day favoured with your Letter of the 24th of last month, covering two Resolves of the General Assembly, one appointing purchasers of Tobacco, the other relating to Mr. Blackledge. The Orders from the Continental Treasury, on their Treasurer of Loans in this State should be lodged with Mr. Skinner and his Receipts taken for them, which Receipts must be lodged with the Comptroller of this State, to enable him to obtain a Credit on the Accounts of the State, on a settlement with the Commissioners of the United States, if you could forward those orders to me by a safe hand I would take care to have the Business properly transacted.

I am, Sir,

Your Obedient Servant,

SAM'L JOHNSTON

## WM. WINDER TO HIS EXCELLENCY THE GOVERNOR OF NORTH CAROLINA.

[From Executive Letter Book.]

RICHMOND, January 16th, 1788.

SIR:

I did myself the honor of writing to your Excellency on the 31st

Ultimo informing you that pursuant to the Ordinance of Congress of the 7th of May, 1787, I was appointed to state the accounts of Virginia and North Carolina against the United States, and requesting that you would be pleased to inform me where it would be most convenient to exhibit the accounts of your State for that purpose, but have not had the pleasure of receiving an answer.

As the ordinance will not admit of delay in this business I propose proceeding on to North Carolina the latter end of this Month and beg leave to solicit your Excellency to give such directions with respect to the accounts as will prevent any delay after my arrival.

With the most perfect respect, I am,

Your Excellency's most Obedient & humble Servant,

WILLIAM WINDER.

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## BEVERLY RANDOLPH TO HIS EXCELLENCY THE GOVERNOR OF NORTH CAROLINA.

[From Executive Letter Book.]

RICHMOND, January 17th, 1788.

SIR:

I do myself the honor to enclose a copy of a Resolution of the General Assembly of Virginia concerning the boundary Line between the two States, together with an Act for cutting a navigable Canal from the Waters of Elizabeth River in this State, to the Waters of Pasquotank River, in the State of North Carolina. The importance of the objects of these papers will readily suggest to your Excellency the necessity of submitting them as early as possible to the Legislature of your State.

I am with great Respect,

Your Excellency's Most obedt. Humble Servt.,

BEVERLY RANDOLPH.

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## SAM'L JOHNSTON TO THE GOVERNOR OF VIRGINIA.

[From Executive Letter Book.]

EDENTON, 22 January, 1788.

SIR:

Your Letter of the 27th of December with the Act of the Legisla-

ture of Virginia concerning the convention to be held in June next, did not reach me till this day. The Legislature of this State having been prorogued on the 22nd of December last, I had not the pleasure of communicating to them the friendly attention of the State of Virginia, to the Interest of her Sister States, by laying before them that Act.

I have the Honor to be with the highest Respect, Sir,
Your Excellency's most obedient Humble Servant,
SAML. JOHNSTON.

## GOV. JOHNSTON TO WILLIAM WINDER, ESQUIRE.

[From Executive Letter Book.]

EDENTON, 22d January, 1788.

SIR:

In answer to your Letter of the 31st of December which came to me only this evening, I have to inform you that the accounts of this State with the United States are lodged in the Comptroller's office at Hillsborough. The Comptroller, Mr. Child, has orders to lay the proper Documents before you, whenever you can make it convenient to attend at that place. I hope you will find them so arranged that you will meet with little difficulty in making up your Report.

I am with great Respect, Sir,
Your most obedient Servant,
SAM. JOHNSTON.

## GOV. SAML. JOHNSTON TO FRANCIS CHILD, ESQUIRE.

[From Executive Letter Book.]

EDENTON, 23rd January.

SIR:

I have received a letter from Mr. Winder, the Commissioner appointed by Congress to settle the accounts of this State with the United States, dated 31st of December at Richmond, informing me that he would immediately proceed to this State as soon as I should

let him know where the public accounts were lodged, I have directed him to you and hope you will be in readiness to receive him and give him Dispatch.

I am with Respect, Sir,

Your most Humble Servant,

SAML. JOHNSTON.

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## CHAS. THOMPSON TO THE GOVERNOR OF NORTH CAROLINA.

[From Executive Letter Book.]

OFFICE OF SECRETARY OF CONGRESS,

January 23rd, 1788

(Circular.)

SIR:

I have the Honor to inform your Excellency that on Monday last Seven States Assembled, Namely, Massachusetts, New Jersey, Pennsylvania, Delaware, Maryland, Virginia and South Carolina and from New Hampshire Mr. Gilman, from Connecticut Mr. Wadsworth, from North Carolina Mr. White, and from Georgia Mr. Baldwin.

Yesterday Congress proceeded to the election of a President & made choice of His Excellency Cyrus Griffin, Esquire.

With great Respect, I have the Honor to be.

Your Excellency's most Obedient & most Humble Servant,

CHAS. THOMSON.

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## GOVERNOR JOHNSTON TO THE GOVERNOR OF VIRGINIA.

[From Executive Letter Book.]

EDENTON, 25th January.

SIR:

I have this day the honor of receiving your letter of the 17th Inst., with the copy of the Resolution of the General Assembly of Virginia, concerning the boundary line between the two States, together with an Act for cutting a navigable Canal from the waters of Elizabeth River in the State of Virginia, to the waters of Pasquotank River, in

this State. I will be careful to take the earliest opportunity of laying these papers before the General Assembly for their Consideration.

I have the honor to be with great respect, Sir,

Your Excellency's most obedient humble Servant,

SAMUEL JOHNSTON.

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GOV. SAML. JOHNSTON TO ELIJAH ROBERTSON, ESQ.

[From Executive Letter Book.]

EDENTON, 29th January, 1788.

SIR:

I have this day received your Letter of the 25th of November addressed to Mr. Caswell, the late Governor. It is with uncommon concern that I understand the distresses of your part of the Country, at the same time that I lament the apparent difficulty of affording you any immediate effectual relief, your distant situation, the exhausted state of the Treasury and the impracticability of raising and marching any considerable number of men at this inclement season are obstacles that at first view seem insurmountable.

I will however, lay your Letter and others relating to this business before the Council where the subject will be considered with that deliberation and attention which its importance demands. I could wish that this matter had been fully stated to the Assembly whose powers were more adequate to the purpose of affording you that protection and relief which your critical and alarming situation calls for.

I am with great Respect,

Your most Obedient Svt.,

SAML. JOHNSTON.

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GOV. SAML. JOHNSTON TO COLS. BLEDSOE & ROBERTSON.

[From Executive Letter Book.]

EDENTON, 29th January, 1788.

GENTLEMEN:

I am this day favoured with your letter from Hillsborough and lament with you the deplorable situation of the Inhabitants of Da-

vidson and Sumner Counties, and am very sorry the Assembly passed over the Consideration of that important Business so little to your Satisfaction. As I was not present I am a stranger to the motives that influenced their Conduct in this particular. Was my power of relieving your distress equal to the very anxious wishes I have for your safety & happiness, they should be of a very short duration, all I can do for you shall be done. I will lay your case with the Letters I have this day received relating to it before the Council of State at their first meeting. I will also send copies of these Letters to our Delegates in Congress to make such use of them as may be proper, and Congress will no doubt apply to the Resident from the Court of Spain for an Explanation of the Conduct of Col. McGilvery if he is actually an Officer of his Catholic Majesty.

My ignorance of your particular situation & the grounds of your disputes with the Indians, renders it a matter of great delicacy to offer you advice who are possessed of so many superior advantages of information. Your situation appears to me to be nearly similar to that of others who have made a settlement among, or in the Neighborhood of Savage Nations. From the early settlements in the Eastern parts of this Continent to the late & more recent settlements on the Kentucky in the West the same difficulties have constantly occurred which now oppress you, but by a series of patient sufferings, manly & spirited exertions and an unconquerable perseverance, they have been altogether or in a great measure subdued & these dangers and difficulties which were opposed to security & tranquility are in the Eastern parts of the Continent now only known from History or tradition. The same means which have succeeded so effectually with others I flatter myself will have a similar influence on your affairs, as I am convinced from the knowledge I have of several of the Inhabitants of Nashville that they are not more deficient in Wisdom & Virtue than the first settlers of this and other parts of America. Was I to hazard an opinion on this occasion, I should suppose that the safest Line of Conduct in your weak and defenceless situation would be by every means in your power to cultivate a good understanding and friendly intercourse with the Savages till you acquire greater strength by an accession of numbers. I will consider it a very great obligation if you will procure for me a good Chart or Map of our Country beyond the Mountains. I have never yet seen any that was tolerably Accurate. I hope to have the pleasure of meeting you

at Hillsborough in July, in the mean time I beg you will believe me with great Respect, Yours, &c.,

SAML. JOHNSTON.

GOV. JOHNSTON TO MAJOR THOS. EVANS.

[From Executive Letter Book.]

EDENTON, 30th January, 1788.

SIR:

I have received your Letters addressed to the late Governor enclosing your Returns for the Months of October & November. I have had no application from the Paymaster or Clothier for money for the pay and Cloathing of the Battalion under your Command. I am sorry to hear of their distressed situation, but am happy to understand that they have not suffered either by sickness or attacks from the Savages. Whenever the paymaster and Clothier applies to me, and produces the proper documents to enable me to form an Estimate of what he is entitled to receive, I shall give him a warrant on the Treasury for the amount.

I would recommend to you to observe as strict a Discipline as the nature of the service you are on will admit and not suffer your men to straggle about the Country singly or in small parties and to use your best endeavors to cultivate a friendly correspondence and good understanding with the Neighboring Tribes of Indians.

I have advanced to Sergeant Dobbins £5 in money & have given him a warrant on the Treasury for £40 more. I shall hope to hear from you in July at Hillsborough when I shall attend the meeting of the Convention.

I am, Sir,

Your most Obedient Servant,

SAML. JOHNSTON.

VICE CONSUL DE FRANCE POUR L'ETAT DE LA CAROLINE DU NORD TO GOV. JOHNSTON.

[From Executive Letter Book.]

WILMINGTON, le 30 Janvier, 1788.

MONSIEUR:

J'etais a Charleston lorsque J'ai appris que vous avez ete choisi

Gouverneur pour L'Etat de la Caroline de Nord; Je profite du premier moment de mon retour a Wilmington pour Offrir a votre Excellence les Compliments les plus sincere.

Mr. Petry charge pour interim du Consulat de Charleston m'a dit en me remittent les papiers du Vice Consulat de la Caroline du Nord, que votre predecesseur, Monsieur, avoit pris des moynes, pour faire payer aux Administrateurs de la Martinique une somme soldant dite pour advances fait a l'Etat de la Caroline du Nord. Oserais-je vous demande, Monsieur, si ces monies ont produit le payment de la Creance dont il s'agit? je desire que celle affairs soit termenee, ou au moins pouvoir finir.

Je suis, &c., &c.,

DUCHER.

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## WILLIAM WINDER TO HIS EXCELLENCY SAML. JOHNSTON.

[From Executive Letter Book.]

HALIFAX, February 11th, 1788.

SIR:

On the 31st of December past, not knowing who filled the Office, I wrote a Letter from Richmond and addressed it to the Governor of North Carolina, mentioning that I had been appointed pursuant to an Ordinance of Congress of the 7th of May, 1787, to adjust the accounts of Virginia and North Carolina against the United States, and requesting to be informed where it would be most convenient to exhibit the accounts of this State for that purpose.

To this Letter I never received an answer; but some time after I wrote it, a Gentleman from this State informed me that you were Elected Governor to commence in March next, that Mr. Caswell continued in Office until that time, and that the public accounts were kept at Kinston where he Resided. In consequence of this information, I was proceeding on to Kinston; but on my arrival at this place, Col. Davie was pleased to inform me of your Excellency's being in Office & that the Assembly at their late Session Ordered the Comptroller to remove the public Accounts to Hillsborough, which order he supposed was not yet executed.

It had always been my intention until I received this information

to wait on the Supreme Executive officer of this State, but the delay that would be occasioned by a Journey from this place to Edenton from Edenton to Kinston, & from Kinston to Hillsborough, induces me to relinquish this part of my design and to proceed on to the Comptroller at Kinston.

Permit me therefore to embrace this mode of notifying your Excellency pursuant to the Ordinance of Congress before mentioned, that I shall be at Kinston on the 15th instant ready to proceed on the business to which I am appointed.

By having recourse to the aforesaid Ordinance you will perceive, Sir, that this notice commences a Term of Six months to which this State is limited for the exhibition of its accounts against the United States.

I have the Honor to be

Your Excellency's

Most Obedt. & Humble Servant,

WILLIAM WINDER.

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FRANCIS CHILD, ESQUIRE, TO SAML. JOHNSTON.

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[From Executive Letter Book.]

EDENTON, 15 February, 1788.

(See January 23rd.)

SIR:

The enclosed is a Copy of a Letter which I directed for you at Hillsborough, & having by accident heard that you are at this time at Kingston, I am to inform you that I expect that Mr. Winder is probably at this time waiting for you at Hillsborough.

I am, Sir,

Your most Obedient Servant,

SAM. JOHNSTON.

## CHAS. THOMPSON TO HIS EXCELLENCY THE GOVERNOR OF NORTH CAROLINA.

[From Executive Letter Book.]

OFFICE OF SECRETARY OF CONGRESS,
February 15, 1788.

(Circular.)

SIR:

I have the honor to transmit to your Excellency herewith enclosed an Act passed the 12th instant, by the United States in Congress Assembled for Granting Sea Letters to American Vessels bound on long and distant Voyages.

That the Mercantile part of your State may be fully informed of this Act, I have to request the favour of your Excellency that you will be pleased to cause it to be published in the Publick or made known to them in such other way as your Excellency may think proper.

With the greatest respect, I have the Honour to be
Your Excellency's most obedient most Humble Servant,
CHAS. THOMSON.

## GOV. SAML. JOHNSTON TO WILLIAM WINDER, ESQUIRE.

[From Executive Letter Book.]

EDENTON, 15th February, 1788.

SIR:

I have received yours of the 16th of January, but before it came to my hands, I had written you a letter of which a copy is enclosed & from it you will see that Mr. Child, the Comptroller at Hillsborough, has orders to lay the necessary papers before you.

I am with great Respect, Sir,
Your most obedient Servant,
SAML. JOHNSTON.

## JOHN HANCOCK TO HIS EXCELLENCY RICHARD CASWELL, ESQ.

[From Executive Letter Book.]

BOSTON, February 16th, 1788.

SIR:

I have the honor of transmitting to your Excellency a Copy of the proceedings of the Convention of the people of this Commonwealth Lately assembled in this Town in Conformity to a Resolution of the General Court of the said Commonwealth with their assent and ratification of the Constitution of the United States of America, reported to Congress by the Convention of Delegates from the said United States, together with certain amendments & alterations recommended to be introduced into the said Constitution which we wish may meet with the Concurrence of your State.

I have the Honour to be with great Esteem & Respect,

Your Excellency's most Obedt & very Humble Servt.,

JOHN HANCOCK.

## GOV. THOMAS PINKNEY TO HIS EXCELLENCY THE GOVERNOR OF NORTH CAROLINA.

[From Executive Letter Book.]

CHARLESTON, South Carolina, 18 February, 1788.

SIR:

I have the honor of informing you that in pursuance of the Act of Congress of the 26th of October last respecting a treaty to be held with the Creek & Cherokee Nations of Indians a Commissioner has been appointed by this State and provision made for defraying our Quota of the Expence.

Altho' this State is not the immediate object of the Enmity of either Nation, yet you may be assured Sir that nothing will be wanting on our part to put a stop to Hostilities which from the mode in which war is in General Conducted by the Savages are attended with the most distressing circumstances, and I have no doubt but that the

benevolence of the State of North Carolina will induce the adoption of such measures as may tend to expedite so desirable a purpose.

I have the honor to be,

With the greatest consideration & respect,

Your Excellency's Most Obedt. Humble Servt.,

THOMAS PINKNEY.

## FRANCIS CHILD TO GOVERNOR JOHNSTON.

[From Executive Letter Book.]

KINSTON, Feb. 19th, 1788.

SIR:

I am to inform your Excellency of the arrival of William Winder, Esquire, the Gentleman appointed by Congress Commissioner for settling the accounts subsisting between this State and the United States; and I have also enclosed you the Report of the Committee of Finance with respect to my employing a Clerk or Clerks for expediting the settlement of the said accounts.

Your Excellency may remember that I shewed you this report when I had the pleasure of seeing you at Tarborough and that you then thought the report wanted some amendment, in order to have it ascertained by the Assembly, what the Clerks were to be allowed for their services; this I endeavored to do, but the great hurry of the Members being then about closing the Session, prevented its being done, many of them saying that 'twas altogether needless as you would fix the sum each was to be allowed.

You will be pleased Sir to remark, that this report of my requiring an additional Clerk or Clerks, is a mistake, as it seems to infer that I then had a Clerk, which I had not neither have I now, therefore I take the liberty of informing you, that as this Business of the Commissioner will require great attention and dispatch, together with the business that must be done with individuals in this State, it will be necessary that I should have at least two Clerks to assist me in it, indeed I don't know that these will be sufficient, however when you are pleased to say how many I may appoint, I hope you will likewise in your directions to me on that head say how much each shall be allowed or at what per Annum, as without this I am very certain

it will be impossible to get that assistance that will be necessary, because no man capable of business will engage with me on an uncertainty, & when it is recollected that the more assistance I have the sooner this business will be at an end, twill be found it can be no loss to the public.

I shall in six or eight days sett off for Hillsborough with the public papers & hope soon after my arrival there to receive your orders with respect to the Clerks, as the business will be very much retarded till I have assistance.

I am Your Excellency's
Most Obedient humble Servant,
FRANCIS CHILD.

## WILLIAM WINDER TO GOV. SAMUEL JOHNSTON.

[From Executive Letter Book.]

KINSTON, February 19th, 1788.

SIR:

I had the honor to write your Excellency from Halifax that I should be at this place on the 15th instant ready to receive and adjust the accounts of this State against the Union pursuant to an Ordinance of Congress of the 7th May, 1787. I arrived here on the appointed day, but the Comptroller being from home, did not see him until yesterday, when he informed me the vouchers were all packed up in order to be removed to Hillsborough, and that it would not be in his power to remove and arrange them so as to commence an exhibition of said Claims until the beginning of April.

As I had wrote your Excellency so early as the 31st of December last, and again in January, of my intention to commence this business, this delay was unexpected; and as it is attended with a considerable expence to the United States, hope it will if practicable be shortened.

I beg leave to request that your Excellency will be pleased to favor me with an acknowledgment of the receipt of my letter notifying my readiness to proceed in the business of my appointment.

I have the honor to be,
With the greatest respect,
Your most Obedient Servt.,
WILLIAM WINDER.

## GOV. SAML. JOHNSTON TO WILLIAM WINDER.

[From Executive Letter Book.]

EDENTON, 23rd February, 1788.

SIR:

I am this day favoured with your letter of the 19th from Kinston, to which place I addressed a letter to you in answer to yours from Halifax of the eleventh which did not come to me till the 24th. I am much concerned for the delay which is likely to occur, but am convinced that it proceeds from the misfortune of this State in having no one fixed place, for the seat of the public business, and the residence of the public Officers, rather than from any faults or remissness in the Officers themselves.

I wrote to Mr. Child immediately on receiving your first letter from Richmond, but as I addressed my letter to him at Hillsborough, his absence from that place was the reason that he had not notice of your intentions before your arrival. I flatter myself that Mr. Child will give you as little trouble and accommodate himself as much to your convenience as the situation & circumstances of our affairs will admit.

I am with great respect, Sir,
Your Obedient Servant,
SAMUEL JOHNSTON.

## SAML. JOHNSTON TO FRANCIS CHILD, ESQUIRE.

[From Executive Letter Book.]

EDENTON, 24th February, 1788.

SIR:

I have this day received a Letter from Mr. Winder, the Commissioner appointed to settle the accounts of this State with the United States dated the 11th at Halifax informing me that he should call on you at Kinston on the 15th and would be immediately ready to proceed on the business of his Commission. I hope you will be

equally ready to receive him as the time limited for that business is only six months, and the State may suffer by delay.

I am with great respect, Sir,

Your Obedient Servant,

SAMUEL JOHNSTON.

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GOV. SAML. JOHNSTON TO WILLIAM WINDER.

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[From Executive Letter Book.]

EDENTON, 24th February, 1788.

SIR:

Your Letter of the 11th was this day handed me by Mr. Murphy. I had before received two of your Letters from Richmond which I immediately answered by post, and at the same time wrote to Mr. Childs to hold himself in readiness to receive you at Hillsborough, to which place I expected he had removed his office.

I hope you will meet with no difficulty in the execution of your Commission, and it will give me pleasure to afford every means within the compass of my power which may in any measure contribute to your ease and convenience in transacting the business.

I am with great respect sir,

Your most obedient Servant,

SAML. JOHNSTON.

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GOV. SAML. JOHNSTON TO FRANCIS CHILD, ESQUIRE.

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[From Executive Letter Book.]

EDENTON, 28 February, 1788.

SIR:

I am favoured with your letter of the 19th from Kinston which I will lay before the Council as soon as they can be convened.

I am with great respect, Sir,

Your Obedient Servant,

SAML. JOHNSTON.

## GOV. SAML. JOHNSTON TO MONSIEUR DUCHER.

[From Executive Letter Book.]

EDENTON, 28th February, 1788.

SIR:

I am this day favoured with your Letter of Last Month from Wilmington and will immediately write to Mr. Caswell, the late Governor to know what steps have been taken towards making satisfaction to the Administrateurs de la Martinique for the monies due from this State. As soon as I receive that Gentleman's answer I will communicate it to you.

I am, &c.,

SAML. JOHNSTON.

## GOV. SAML. JOHNSTON TO RICHARD CASWELL.

[From Executive Letter Book.]

EDENTON, 28th February, 1788.

DEAR SIR:

I have just received a Letter from the Vice Consul of France respecting a Debt due from this State to the Government of Martinique, desiring to know whether the measures taken by you had effected the payment of that Debt, & if not that would put it in his power to settle it. As I am altogether a stranger to this transaction you will oblige me in furnishing me with such information on the Subject as will enable me to return a satisfactory Answer to Mr. Ducker.

I am, &c., &c.,

SAML. JOHNSON.

## CHAS. THOMSON TO HIS EXCELLENCY THE GOVERNOR OF NORTH CAROLINA.

[From Executive Letter Book.]

OFFICE OF SECRETARY OF CONGRESS,
March 3, 1788.

SIR:

I have the Honor to transmit to your Excellency herewith enclosed,

to be laid before the Legislature a State of the representation in Congress from the 21st of January to the end of the last Month.

With the greatest respect I have the honor to be

Your Excellency's most Obedient Most humble Servant,

CHAS. THOMSON.

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GOV. SAM. JOHNSTON TO HON. D. WHITE.

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[From Executive Letter Book.]

EDENTON, 5 March, 1788.

SIR:

I thank you for your Letter of the 11th of February which I had the pleasure of receiving this Day. I had before the satisfaction of seeing a New York paper which came by Sea which contained the Result of the deliberations of the Convention of Massachusetts.

I am sorry that you have been so long without a Colleague; in consequence of a Letter which I received from the Secretary of Congress I wrote to your Colleagues early in January shewing the necessity of their proceeding on so soon as possible, but have never been favoured with an answer. I will now write to them pressing them to come on to your aid, and as the weather which has hitherto been uncommonly severe for the Climate will not probably be more favourable for travelling I shall hope to prevail on them to proceed.

I some time ago received the letters of which the enclosed are Copies from some Gentlemen beyond the Mountains which I promised to communicate to you, tho' it is not my opinion that the Court of Madrid or any of their Officers have the least share in abetting the grievances they complain of, yet it may give them some satisfaction to know from you your opinion on this subject, but submit it entirely to your direction, whether it will be proper to mention it to the Minister of that Court. By what I could collect from the Express, most of those who have been murdered were such as had ventured to ramble at too great a distance from the Inhabitants & were shot down by Indians who were hunting, nor did it appear that they were embodied in any considerable number, but rather consisted of straggling Hunters who murdered for the sake of plunder.

It will give me pleasure to hear from you as often as your Leisure

will permit, even tho' you should have nothing particular to communicate.

I am, &c., &c.,
SAML. JOHNSTON.

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FRANCIS CHILD TO HIS EXCELLENCY SAML. JOHNSTON.

[From Executive Letter Book.]

HILLSBOROUGH, March 10, 1788.

SIR:

The foregoing is a Copy of mine sent by post which I hope you have received and that you will by the Bearer, Mr. Courtney, give me the necessary directions, so that I may employ a Clerk or two as Mr. Winder is here and we cannot proceed on the business with the necessary dispatch without them.

I find by Mr. Winder that he will not receive the Continental money from me, therefore must request your Excellency to enquire of Genl. Skinner, the Treasurer of the Loan Office, whether he will receive it or not, and if he will not, I submit it to you whether it would not be necessary to write to our Delegates in Congress to know what is to be done with it.

I am your Excellency's
Most Obedient humble Servant,
FRANCIS CHILD.

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GOV. SAML. JOHNSTON TO FRAN. CHILD.

[From Executive Letter Book.]

EDENTON, 17th March, 1788.

SIR:

I am this day advised by the Council of State to empower you to employ two Clerks to assist you in settling with the Commissioner appointed to settle the accounts of this State with the United States pursuant to the Resolve of the last Assembly. They are further of opinion, that you may allow each of the said Clerks twenty Shillings per day during the time they are on this Service.

I do therefore hereby empower you to employ two Clerks if you

think them necessary, to assist you in adjusting & settling the accounts of this State with the United States.

I am with great Respect, Sir,

Your most Obedient Servant,

SAML. JOHNSTON.

## GOV. SAML. JOHNSTON TO THE GOVERNOR OF SOUTH CAROLINA.

[From Executive Letter Book.]

EDENTON, 19 March, 1788.

SIR:

The Resolution of Congress of the 26th of October to which you refer in the letter which you did me the honour of Addressing to me on the 18th Day of February last, did not come to me till after the adjournment of the Assembly and as I considered that the settling of the boundary between this State & the Indians a Subject of too much importance for me to act in without the direction of the Legislature, I laid aside the consideration of it till since I had the honor of receiving your Excellency's Letter. I yesterday laid all the papers relating to the business before the Council of State for their Consideration, who concurred with me in opinion that the powers of the Executive Department in this State did not extend so far as to comprehend all the objects contained in the instructions sent forward by Congress for the Government of the Commissioner to be appointed by this State, and tho' the Resolution of Congress passed so early as the 26th of October no Hostilities have hitherto been committed on the Inhabitants of this State by the Cherokees, nor have we any intimation from the Inhabitants on our Frontiers that any such Hostilities are at present apprehended. I have not, therefore, appointed a Commissioner to treat with the Cherokees. Should the States of South Carolina and Georgia be of opinion that the Cooperation of this State can in any manner facilitate their Negotiations with the Creeks, we will be ready to adopt any measures that may have a tendency to promote the peace & Security of the State of Georgia, at any time, when they may think proper to favour us with an intimation in what manner we can be useful to them.

I have the honor to be,

With the highest consideration and respect, Sir,

Your Excellency's most Obedient Servant,

SAML. JOHNSTON.

GOV. SAML. JOHNSTON TO HIS EXCELLENCY CYRUS GRIFFIN, ESQ., PRESIDENT OF CONGRESS.

[From Executive Letter Book.]

EDENTON, March 19th, 1788.

SIR:

I have not before this day had the honour of receiving from the Secretary of Congress his Letter of the 23rd of January informing me that you were elected to the important Office of President of Congress.

Be pleased to accept my sincere Congratulations on this occasion, & I beg you will believe me with every Sentiment of Consideration & Respect, Sir,

Your Excellency's Most Obedient humble Servant,

SAML. JOHNSTON.

GOV. SAML. JOHNSTON TO SECRETARY OF CONGRESS.

[From Executive Letter Book.]

EDENTON, March 19th, 1788.

SIR:

I had this day the honor of receiving your Letter enclosing a Resolution of Congress directing the mode of granting Sea Letters to Vessels bound on long and distant Voyages, and will be careful that it shall be published for the information of such of the Citizens of this State as may be disposed to embarque in Adventures of that nature.

I have the honor to be with the greatest Respect,

Sir, Your most Obedient Servant,

SAMUEL JOHNSTON.

GOV. SAML. JOHNSTON TO SECRETARY OF CONGRESS.

[From Executive Letter Book.]

EDENTON, March 19th, 1788.

SIR:

Your Letter covering the Resolution of Congress of the 26th of

October respecting the appointment of a Commissioner to treat with the Creek and Cherokee Nations of Indians, did not come to me till after the adjournment of the General Assembly and considering the powers vested in the Commissioner by the instructions of Congress, I did not think myself at liberty to act on it without the directions & Instructions of the Legislature.

Having lately received a Letter from the Governor of South Carolina informing me that his State had appointed a Commissioner for the purpose of Carrying that resolution into effect, I laid all the papers relating to that Business before the Council of State. They were of opinion that it required the interference of the Legislature to fix permanent Boundaries between the State and the Indians. I have at the same time the satisfaction to inform Congress that I have no intimation of any Hostile intentions of the Cherokees against the Inhabitants of this State which renders the necessity of appointing a Commissioner to treat with them at this time the less urgent. Should the State of Georgia intimate that the Co-operation of this State will in any manner tend to further the Success of their Negotiations with the Creeks, we will be ready to do anything in our power to assist in carrying the Resolution into effect as far as it relates to them.

I have the honor to be with the greatest respect, Sir,

Your most obedient humble Servant,

SAMUEL JOHNSTON.

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## GOV. SAML. JOHNSTON TO THE COMMISSIONERS FOR PURCHASING TOBACCO AT HALIFAX.

[From Executive Letter Book.]

EDENTON, 20th March, 1788.

You will be careful to have all the Tobacco purchased by you for the State sent down to Mr. Ryan's on Cashie or Mr. John Stewart's, on Roanoke and safely stored as soon as it can be conveniently done and send me the Manifest.

I am, Sir, Your Obedient Servant,

SAML. JOHNSTON.

GOV. SAML. JOHNSTON TO THE COMMISSIONERS FOR PURCHASING TOBACCO AT TARBOROUGH.

[From Executive Letter Book.]

EDENTON, 20th March, 1788.

SIR:

You will be careful to have all the Tobacco purchased by you for the State sent down to Washington and safely stored as soon as it can be conveniently done and send me the manifest.

I am, Sir,

Your obedient Servant,

SAML. JOHNSTON.

GOV. SAML. JOHNSTON TO COMMISSIONER FOR PURCHASING TOBACCO AT FAYETTEVILLE.

[From Executive Letter Book.]

EDENTON, 20th March, 1788.

SIR:

You will be careful to have all the Tobacco purchased by you for the State sent down to Wilmington & safely stored as soon as it can be conveniently done and send me the Manifest.

I am, Sir,

Your Obedient Servant,

SAML. JOHNSTON.

GEN. JOSEPH MARTIN TO GOV. JOHNSTON.

LONG ISLAND, 24th March, 1788.

SIR:

The confusion of this country induces me to lay before your Excellency by Express, our present situation which is truly alarming. I must beg in part to refer to the different Papers accompanying this; also the Bearer, Capt. Irvin. I sent Saturday last to Sevier & his party requiring them to lay down their Arms, and submit to the Laws of North Carolina, but can get no answer only from Colo. Joseph Harding which I forward. Tho' I know that on Friday last they met in Convention to concert some plan, the Bearer of my Ex-

press informs me that he understood that Sevier had gone towards French Broad River since the 10th Instant; that Col. Cannady with several others had gone the same way to carry on an Expedition against the Cherokee Indians which I am well assured wish to be at Peace, except the Chickomoga Party which could be easily drove out of that Country if your Excellency should recommend it. I am somewhat doubtful that Sevier and his party are embodying under the colour of an Indian Expedition to amuse us & that their object is to make another attack on the Citizens of this State, to prevent which I have ordered the different Colonels to have them men in good order until I could hear from your Excellency at which time I hope you will give me directions in what manner to proceed in this uncommon & critical situation for which I shall wait till the return of the Express before I shall take any decisive steps.

Private papers are in circulation in many parts for the People to assign in opposition to the Laws of this State Setting forth that the Taxes are heavier than they can bear; that the Poll Tax is four Dollars, &c. I must beg that you will furnish me with the Acts of the Assembly for the years 1787 & 1788; also to order matters so that the Bearer be paid for his services, as I find it a very difficult matter to employ men of candour in such business owing to payment, &c., &c.

Should the Franks still persist to oppose the Laws of this State would it not be well to order General McDowall to give some assistance as a few men from there will convince them that North Carolina is determined to protect their Citizens which the Leaders of the Rebel party assure the people that North Carolina will not interfere, that we are to settle the dispute among ourselves. My opinion is that if a few men from Burk were to come over that they would then be convinced & give up without further opposition. I find that South Carolina and Georgia have appointed Commissioners to treat with the Creeks & Cherokees, and intend to apply to the Executive of this State to appoint one also. If you have not yet proceeded to the choice of one & think me adequate to the task, I shall endeavor to deserve your good opinion. I can say nothing in favour of my abilities only Experience having had that honor conferred on me at four different Treaties and have been Indian Agent 10 years. If a Commissioner is already chosen perhaps you may think proper to direct me to attend as agent as I now fill that Commission & cannot think that the Cherokees can be drawn out in a Treaty without my assist-

ance. I flatter myself I have more influence with them than any other person, all which I submit to your Excellency.

I am, &c.,

JOSEPH MARTIN.

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EX.-GOV. CASWELL TO GOV. JOHNSTON.

NEWINGTON, March 31st, 178[illegible].

DEAR SIR:

I had the honor to receive your Letter of the 28th Ulto. two days ago, on the subject of the debt due from this State to the Government of Martinique.

This business respecting the payments began in Governor Martin's Administration, who had put into the hands of Messrs. John G. and Thomas Blount a sum of Money, say £1,200, for the purpose of purchasing Naval Stores to remit to Philadelphia in order to make part of the payment since which, application was made to me by that House and Warrants issued on the Treasury in April, 1786, for £1,300, which I apprehended would be sufficient to discharge the Ballance.

In the course of my administration I had several applications from the Consul of France & as often wrote to Messrs. Blount regarding the Remittance and from the assurances of these Gentlemen I had flattered myself the Ballance had been long since discharged, but I cannot take upon me to say that it is. Mr. John G. Blount no doubt will give the fullest information.

I have the honor to be, &c., &c.,

RICHARD CASWELL.

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GOV. SAML. JOHNSTON TO FRANCIS CHILD.

(From Executive Letter Book.)

EDENTON, 7th April, 1788.

SIR:

Inclosed you will receive three original letters from the Marquis LaFayette and one from Genl. Muhlenburg to Gen. Gregory, these will serve to supply the place of other vouchers to shew that the Troops Commanded by Genl. Gregory were under Continental orders, & if so, that the Continent is liable to defray the expence. If

these letters should appear to you of any consequence you will make use of them, and after you are done be so good as to return them.

I am with respect, Sir,

Your most obedt. Servt.,

SAML. JOHNSTON.

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GOV. SAML. JOHNSTON TO MR. J. G. BLOUNT.

(From Executive Letter Book.)

HAYS, April 12th, 1788.

DEAR SIR:

I was sometime ago applied to by the Consul of France respecting a Debt due from this State to the Government of Martinique and being unacquainted with the particulars of that transaction I applied to the late Governor Mr. Caswell for information. I have lately received his answer referring me to you as a person qualified to give me the fullest information on that subject. I shall therefore consider myself under the highest Obligations to you for a full State of all the facts within your knowledge which you may judge necessary to enable me to give a satisfactory answer to the Consul.

I have lately had an express from Holstein giving an account of some very dangerous Riots in which some blood has been spilt and two men killed by the Rioters under the Command of Sevier. I hope the Assembly at their next meeting will either use means effectually to enforce the Execution of our laws in that Country or leave them to Govern themselves, to suffer them to continue in the present unsettled State, may in time be attended with very bad influence on the Conduct of the Citizens in other parts of the State.

I am, &c., &c.,

SAM. JOHNSTON.

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GOV. JOHNSTON TO GEN. JOSEPH MARTIN.

(From Executive Letter Book.)

EDENTON, 12th April, 1788.

SIR:

I am very much concerned to find from your Letter of the 24th of last month which is now before me that some of the people in your Neighborhood have been drawn into a dangerous Riot, and that the

lives of some Citizens have been lost, in consequence thereof I am determined to make a strict enquiry into the matter & for that purpose shall summon the Council to meet at Hillsborough during the sitting of the Convention, in the meantime I would recommend to you and the other Officers of Government to preserve peace and good order by Mild & conciliatory measures, & assure the people that I will do everything in my power to protect & support the good & faithful Citizens in the full enjoyment of all their Lawful Rights & Privileges, at the same time that I will exert the whole powers of Government to bring to Condign punishment all such as shall presume to violate the laws and disturb the peace of the State, and this I hope to effect by a proper Exertion of the Laws without endangering the life of any one good Citizen but if any number of men shall enter into a Combination to oppose the execution of the Laws means will be immediately adopted to convince them that there is no power in the State, superior to the Laws.

You will do everything in your power to cultivate a good understanding with the Indians & prevent by all means any Hostilities or Insults from being committed on them by the Citizens of this State; if the Indians should become the aggressors which I think there is little reason to apprehend, proper steps must be taken to counteract them, but I would not advise to take arms on every vague Report or any Injury or outrage committed by outlaws & vagrants and I fear that it some times happens that the crimes committed by our own people are charged to the Indians. Should the people in that part of the Country wantonly involve themselves in an Indian War without any real necessity, but with a view to harrass and drive them from their settlements I cannot promise them any assistance from this side the Mountain; on the Contrary, if they should unavoidably be led to take up arms to defend themselves they may promise themselves every thing from the known justice of the Assembly. As there is every reason to believe that the Cherokees entertain a disposition to continue in peace with us it has not been thought necessary to appoint any commissioner to Treat with them at this time, if the States of South Carolina & Georgia should think proper to call upon this State to assist them with our Councils in treating with the Creek Indians, I shall Consult the Council of State with regard to the appointment of a Commisioner for that purpose and will at the same time lay your pretensions before them. I have given

Capt. Irvin a draught on the Treasury for £15 for which he is to be accountable & to lay his claim before the next Assembly.

I am, &c.,

SAM. JOHNSTON.

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PRESIDENT CYRUS GRIFFIN TO HIS EXCELLENCY THE GOVERNOR OF NORTH CAROLINA.

(From Executive Letter Book.)

New York, April 14th, 1788.

Dear Sir:

The congratulations of so kind a friend I receive with the utmost pleasure.

Accept my thankful acknowledgments for your Excellency's very obliging Letter and very polite attention.

By the last Vessels from Europe we are told that the Netherlands are still in great Confusion. That Russia is carrying on War against the Turks with uncommon vigor, and perhaps will be powerfully assisted by the Emperor, that in all probability the horrid flame may be extended much further, and that in truth the Peace between France & England will not continue any considerable time.

This being the appearance of things abroad, I hope the United States at home will adopt a Constitution beautiful in theory and which will be found a Government of Safety and of Energy.

I have the honor to be Dear Sir,

With profound esteem and regard,

Your Excellency's most obedient Servt.,

CYRUS GRIFFIN.

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JAMES GARDOQUI, SPANISH MINISTER, TO GOV. JOHNSTON.

(From Executive Letter Book.)

New York, 18th April, 1788.

Sir:

The Honorable Mr. J. White having communicated to me a letter from your Excellency with enclosures from the Frontiers of North Carolina wherein the Cruelty of the Savages is complained of &

that it is feared lest this may have happened partly thro' the investigations of the subject of Spain.

Your Excellency may give full assurances to the contrary that the Spanish Government entertain such sentiments of good will and Amity to the United States, that it would rather sedulously prevent than encourage any outrages upon their Citizens.

But at the request of Mr. White I shall with pleasure inculcate a particular attention to those friendly Sentiments & I shall think myself happy whenever they answer the Wishes of your State.

I have the Honor, &c., &c.,

JAMES GARDOQUI.

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## HON. JAMES WHITE TO GOV. JOHNSTON.

(From Executive Letter Book.)

NEW YORK, April 21st, 1788.

SIR:

In consequence of the letter received from your Excellency enclosing representations from the Western Country I urged the subject to the minister of Spain.

Tho' on the part of his Country he absolutely disavows that what happened could have been through the investigations of their Subjects; He promises to write to their Governor recommending their influence particularly with respect to our Frontier.

I do myself the honor to enclose a letter from him which I take to be upon this subject.

It gives me pleasure to hear from Doctor Williamson that he and Mr. Swann mean to attend here on the part of our State. But people in general seem to despair of effecting anything with a sick and worn out Political Constitution. Scarcely has there been a competent number of the States the whole winter. Even the Delegation for New York has neglected attendance while in the mean time business both of a private & public Nature is waiting disappointed.

That two Gentlemen and not one singly are coming from the State of North Carolina relieves me from an embarrassment I should otherwise feel at being under the necessity of leaving this for a time, tho'

my wish and design is to return as soon as I can arrange the necessary means of support.

The difficulty of procuring Gold as well as the very advanced rate of it, had induced me to trust to my salary as Superintendent of Southern Indians. But in the present State of their Treasury no services to the United States can be rewarded. This apology therefore I have to make for quitting tho' reluctantly & but for a time an appointment to which my Country had done me the honor to name me. Shortly I shall be enable to return to it.

I presume you are acquainted of the Cession of Territory made by Georgia. But it is conditional—when nine States accede to the new Government. The Boundary Line is to be drawn from the head of Chatahouchi River North. This Claim may one day or other involve the United States in difficulties with the Spaniards who hold it to be no part of the United States; however it is very easy to see the Government of the Catholic King is relaxing in its policy in this respect. They begin to be convinced these States especially the Western Country are rather to be restrained by benevolence than violence. On almost the only occasion where Nine States have assembled in this Congress a Petition from the people of Kentuckey, with the approbation of Virginia for admitting the former into the Union has been debated. The Eastern States seem much at a loss to decide, they are jealous of any additional influence in the Southward. But if their partial views are indulged tramontane people, whom if not affection, fear or interest will not long hold dependent, on the Atlantic States.

It is whispered that whenever there are States sufficient to take up that Business, Mons. le Compte de Moustier means to present a Memorial to them on the subject of the French Debt. But I cannot think that he will make such a representation as in the present condition of these States can only serve to disgust. Tho' indeed this Minister is remarked not to be so Courtly in his attentions to Congress as his predecessor the Chevalier de la Lucerne.

The French Consul Mons. de la Forest frequently reminds me of a Debt which he is instructed to demand and which he says is due to the Marine of France from our State, he says he hopes we shall no longer delay to pay attention to it. Upon my assuring him that our Legislature had taken up the business in such a manner as was

thought a sufficient provision; he answered me the proceedings were quite inadequate.

I am sorry to inform you that in a late furious commotion of this populace five of them were mortally wounded. The Minister of Foreign Affairs & others much bruised; the Clamour was raised in consequence of indiscreet dissections of some Surgeons.

I have the honor to be,

JAMES WHITE.

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## ETHEL'D PHILIPS TO GOV. SAMUEL JOHNSTON.

(From Executive Letter Book.)

April 21st, 1788.

SIR:

Yesterday I received your Letter of the 28th of March by the hands of Mr. McDougall in which you direct me to have the Tobacco I have purchased for the Publick carried to Washington with care. I wrote to you some time past respecting it, but should you not have got the letter, I now inform you that I have purchased about seventy five thousand weight, most of which has been at fifty shilings per Hundred, it has been kept at Tarborough in my warehouse, and I hope to have it carried to Washington and stored with safety, as Mr. Edward Hall who is a very careful man has undertaken to have it carried down the river in a good boat, that is to be well covered, so as to prevent the rain from hurting it, about thirty hogsheads of which is already carried down; I have laid out all the money I have received of the Treasurer reserving some to pay storage and freight, but expect to receive some money of the Treasurer this day which I shall endeavor to lay out immediately if opportunity permits. I mentioned to you I expected to be at Halifax but having an opportunity of doing my business with the Treasurer who is to call at my house on his way to Halifax, prevents my being there, and besides, my wife is in so low a state of health that I am unwilling to leave her.

I shall endeavor to inform you by an opportunity the situation of my business & shall hope to hear and receive instructions from you.

I am yours respectfully,

ETHEL'D PHILIPS.

## HON. CHAS. THOMSON TO HIS EXCELLENCY THE GOVERNOR OF NORTH CAROLINA.

(From Executive Letter Book.)

OFFICE OF SECRETARY OF CONGRESS.
May 3rd, 1788.

SIR:

I have received and communicated to Congress the Letters you did me the honor to write to me on the 19 of March last, I have now the Honor to transmit to your Excellency, herewith enclosed, to be laid before the Legislature of your State, a State of the Representation in Congress for the Months of March & April, and am sorry to observe that during the course of the present federal year your State has been hitherto unrepresented .

With great respect I have the honor to be

Your Excellency's Most Obedient
& Most hbl. Servt.,
CHAS. THOMSON.

## GOV. JOHNSTON TO JAMES GARDOQUI, SPANISH MINISTER.

(From Executive Letter Book.)

EDENTON, 8th May, 1788.

SIR:

I have this day received the letter which your Excellency did me the Honor to write to me on the 18th of April which affords me the greatest satisfaction to find that I was not mistaken in the opinion I had confidently entertained that the Citizens of our Western Frontier were not well informed when they attributed the Cruelties experienced by the savages to the interference or connivance of the subjects of his Catholic Majesty. I could not imagine that any of his subjects much less such as held a Commission under him would Hazard the displeasure of so just & Magnanimous a Prince by aiding or in any manner abetting practices so abhorrent not only to the principles of Christianity but to every Sentiment of humanity entertained by a Civilized people.

Be assured Sir, that I have the highest sense of your Excellency's

attention to this Business of which I shall be careful to inform the citizens on the Western Frontiers of this State, and on all occasions use the utmost influence in my power to promote & conciliate sentiments of Good will and amity in the minds of the Citizens of this State towards their neighbours the Subjects of his Catholic Majesty.

I have the honor &c., &c.,

SAML. JOHNSTON.

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GOV. JOHNSTON TO DR. JAMES WHITE.

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[From Executive Letter Book.]

EDENTON, 8th May, 1788.

SIR:

I am this day favoured with your letter of the 20th of April and am much obliged to you for the important & interesting intelligence contained in it.

I am particularly obliged to you for your attention to the affairs of the Citizens on our Western Frontier. It will be some satisfaction to them to know the Sentiments of the Spanish Minister, & though you know it has been my wish to Cede that Country to Congress yet as that measure was afterwards done away I shall do everything in my power to save the Interest of that people & to keep them in good humor for I perfectly agree with you that people situated so great a distance from the seat of the public offices must be Governed more by securing their Attachments by kind offices than by any exertions of force.

It gives me pain that in our present distressed situation there are apprehensions of being pressed with demands which we are altogether unable to comply with, a Circumstance which the Minister of France cannot have so far deviated from his former Magnanimity as to be over strenuous on that subject at this moment, when the United States are so much embarrassed by the peculiar situation of their affairs.

I have been for some time past endeavouring to investigate the State of the Demand of the Government of Martinique against this State but have not hitherto succeded. I shall persevere however in this Business till I can obtain a true state of that affair which I will

then immediately communicate to the Consul of France and do my best endeavours to give satisfaction on that subject.

It is with great concern that I see the difficulties which the Delegates of Congress from this State sustain in Negotiating an Exchange of the Paper Medium so as to afford them a decent support, & should be happy to have it in my power to afford them relief: should the new form of Government take place the evil will be removed otherwise it is to be hoped that the General Assembly will provide a remedy so that the minds of the Delegates may be freed from every kind of embarrassment other than what arises from the Duties of their office. Mr. Swann has been some time delayed in procuring funds for his support. He informs me that he has succeeded so as to enable him to come forward in a few days to your relief. Permit me to recommend him to your good offices, he appears to be a Young Gentleman of a liberal mind and promises to be a useful member of Society.

The Several Counties in this State have elected Members to represent them in Convention except in the County of Dobbs where unfortunately a Riot took place at the time when the Sheriff was counting the Suffrages, by which means the Ballots were destroyed & he had it not in his power to decide who had a Majority of Votes. I hope we shall still fall upon some means to procure a Representation from that County.

You have no doubt heard of the unfortunate affray which happened between Colonel Tipton & Mr. Sevier; I have reason to hope that no further mischief will take place in that manner and that the people will no longer be duped by the artifices of a man who by his folly and presumption has reduced his affairs to so desperate a situation that it is not convenient for him to live under any wholesome & well Regulated Government. I shall be happy at all times to hear from you & Remain,

Yours, &c., &c.,
SAM. JOHNSTON.

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GOV. SAML. JOHNSTON TO J. G. BLOUNT.

[From Executive Letter Book.]

EDENTON, May 8th, 1788.

DEAR SIR:

I thank you for your favour of the eighth of May in answer to

mine of the 12th of April and shall be much obliged to you if from any materials in your hands you are enabled, that you will give me a more particular State of that Demand, to-wit: the full amount of it, what sums have been drawn from the Treasury towards discharging it, and what these sums have produced to the credit of the State, I wish to have as full information on the subject as may be had, in order to have the advice of the Council in what manner we can best give satisfaction to the Government of Martinique and discharge the State from that incumbrance, if the materials in your hands do not enable you to give this information, I will be obliged to you to refer me to any person who can furnish me with it. I am very sensible of the great loss which the State must sustain from shipping Naval Stores & think you acted prudently in discontinuing that kind of Remittance. I should at the same time be obliged to you for your opinion of the most proper & advantageous mode to be pursued to make a saving remittance. I am &c.,

SAM. JOHNSON.

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### C. GRIFFIN TO GOV. SAML. JOHNSTON, ESQR.

[From Executive Letter Book.]

New York, May 8th, 1788.

Sir:

I do myself the honor of transmitting to your Excellency a Resolution of Congress upon the Subject of the Delegation.

Most ardently do I wish and request that the Gentlemen of your State would attend upon the National Business and particularly at this interesting period.

I have the honor to be, Sir,
With Profound respect & regard,
Your Excellency's most Obedt. Servt.,
C. GRIFFIN.

## CHAS. THOMSON TO THE GOVERNOR OF NORTH CAROLINA.

[From Executive Letter Book.]

OFFICE OF SECRETARY OF CONGRESS,
May 12, 1788.

SIR:

Congress being anxious to bring to a close the public Accounts, as far as they relate to the late Quarter Masters, Commissaries, Hospital, Marine & Clothing Departments, have passed the Resolutions which I have the Honor to transmit to your Excellency herewith Enclosed. As the order of the Commissioners to commence Suits may effect some of the Citizens of your State, I have to request that your Excellency will be pleased to cause it to be published for the information of all concerned.

With great Respect I have the honor to be,
Your Excellency's most Obedt., most Hbl. Servt.,
CHAS. THOMSON.

## HON. JOHN JAY TO HIS EXCELLENCY THE GOVERNOR OF NORTH CAROLINA.

[From Executive Letter Book.]

OFFICE OF FOREIGN AFFAIRS,
17 May, 1788.

SIR:

I have the Honor of transmitting to your Excellency herewith enclosed a Copy of an Act of his Most Christian Majesty's Council of State for the encouragement of the Commerce of France with the United States of America, passed the 20th of December, 1787, together with a Copy of a Letter on the Subject of it from His Majesty's Comptroller General of Finance to the Honbl. Mr. Jefferson, dated on the same day.

Although these papers have already appeared in the Gazettes, yet not having been until lately communicated officially to Congress, they could not sooner be published by their Authority.

I have the honor to be,
With great Consideration and Respect,
Your Excellency's most Obedt. & mo. Hble. Servt.,
JOHN JAY.

JOHN BLOUNT TO GOV. JOHNSTON.

[From Executive Letter Book.]

WASHINGTON, May 18th, 1788.

SIR:

Your favour of the 16th Instant was this day handed me; & on enquiry find in the Post Office yours of the 12th Ulto.

Governor put into the hands of John Gray and Thomas Blount, Warrants for a sum of Money to pay the Debt due to the Government of Martinique from this State & to be paid the Consul of France at Philadelphia. The Warrants were accordingly vested in Tar and remitted to Philadelphia and New York for the aforesaid purpose. The late Governor Caswell also drew in favour of John G. & Thomas Blount for Thirteen Hundred pounds, but their finding the last Remittance to loose so much declined remittance further, on a Presumption, the Debt could with less loss to the State be paid in Martinique where it was contracted. Therefore submit to your Excellency whether it will not be best to obtain leave from the Consul, to pay the ballance of the Debt in Martinique. In my opinion the loss will be much less & every exertion shall be made to accomplish the Remittance so far as funds are in the hands of John & Thomas Blount for that purpose.

I am, &c., &c.,

JOHN BLOUNT.

GOV. SAML. JOHNSTON TO JAMES PORTERFIELD, ESQR.

[From Executive Letter Book.]

EDENTON, 19th May, 1788.

SIR:

I have not yet received any returns of your purchase of Tobacco on account of the State which I have been some time in expectation of, in Order that I might be enabled to contract for the disposal of it.

I some time ago wrote to you requesting that you would have the Tobacco which you may purchase sent down to Wilmington & there stored & lest my letter may have been miscarried I now repeat it.

I am with great Respect, &c.,

SAML. JOHNSTON.

## CHAS. THOMSON TO GOVERNOR OF NORTH CAROLINA.

[From Executive Letter Book.]

OFFICE OF SECRETARY OF CONGRESS,
May 26th, 1788.

(Circular.)

SIR:

I have the honor of transmitting to your Excellency herewith enclosed an Act of the United States in Congress Assembled, passed the 22nd. By this and their Act of the 8th, which I had the honor of transmitting with my letter of the 12th, it is hoped that Accounts between the United States and Individual persons will speedily be brought to a close.

With the greatest Respect I have the honor to be, &c.,
CHAS. THOMSON.

## JOHN JAY TO THE GOVERNOR OF NORTH CAROLINA.

[From Executive Letter Book.]

OFFICE OF FOREIGN AFFAIRS,
26 May, 1788.

SIR:

Mr. Dumas agreeable to the request of the Envoy extraordinary of his Swedish Majesty at the Hague, has transmitted to me a note he received from that Minister which I have now the honor of communicating to your Excellency in order that such measures may be taken on the Subject as Circumstances and the Laws of Nations may dictate.

With great respect I have the honor to be, &c.,
JOHN JAY.

## GOV. JOHNSTON TO HON. HUGH WILLIAMSON.

[From Executive Letter Book.]

NEW YORK, 26th May, 1788.

DR. SIR:

You recollect that the General Assembly of our State during their last Session passed a Law repealing all such other Laws as were in-

consistent with the Treaty of Peace. The Secretary of Congress informs me that no such Act has been forwarded to Congress & it is much desired; will you be so good as to send me by post a Printed Copy or an Attested Manuscript as you may think best. The General Assembly also near the end of the Session, entrusted the Members in Congress to move certain propositions respecting the Navigation of the Mississippi. I shall be obliged to your Excellency for a Copy of that Vote & the Resolutions. It may happen that Mr. White may have received one and the other of the papers above referred to, but he has not communicated them and is gone, hardly to be expected here for some months. The Virginia Delegation are also instructed respecting the Mississippi, but they are disposed not to bring forward that Business before we are ready to support them.

I have the Honor, &c., &c.,

HUGH WILLIAMSON.

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JAMES PORTERFIELD TO GOV. JOHNSTON.

[From Executive Letter Book.]

(Circular.)

FAYETTEVILLE, May 29th, 1788.

SIR:

I herewith enclose you a Return of what Tobacco I have purchased, & what was in the hand of the former Commissioner. My purchase would have been much larger had it not been for the great scarcity of Tobacco which caused the price to rise to 10 & 12 per cent. in a few days. I was therefore, induced to be backward in purchasing, with the Idea that it would fall in which I have been disappointed. The Current price is now from 58 to 62. I shall therefore decline purchasing any more, unless your Excellency should think proper to order otherways, as there can scarcely be a doubt but what the next Crop will be 25 per Cent. less than the present.

I have the honor to be, &c., &c.,

JAS. PORTERFIELD.

## HON. HUGH WILLIAMSON TO GOV. JOHNSTON.

[From Executive Letter Book.]

NEW YORK, 30th May, 1788.

DEAR SIR:

On the day before yesterday Mr. Swann arrived here by water from Norfolk. Yesterday he took his Seat in Congress which for the first time since October last gave the State a Vote. Mr. Swann inoculated yesterday morning, but expects that he will be seldom prevented from doing duty.

To-day Congress has received a very serious Complaint from the Minister of France concerning the conduct of the Majestracy in one of the States protecting a French Pirate, another mournful proof that unless we have a Foederal Government we shall not long escape from the depredations of some Foreign Nation.

I was favoured by your Excellency's Letter by Mr. Swann, but beg you to note that this is neither the third or fourth I have had the honor of writing or with which I may have troubled you already.

I am, &c., &c.,

HUGH WILLIAMSON.

## ETHELRED PHILLIPS TO GOV. JOHNSTON.

[From Executive Letter Book.]

TARBOROUGH, June 5th, 1788.

SIR:

In closed is a true account of the Tobacco I have purchased at Tarborough for the Public, all of which except a few Hogsheads is stored at Washington, and the whole will be there in a few days & ready to be delivered when called for. I have not the Money to purchase more than five or six Thousand Weights more, which I shall lay out the first opportunity & send to Washington, though there is very little Tobacco comes to the Warehouses at present. The Inspectors have made no difference yet in the quality of Tobacco, so that what I have purchased I consider to be of the first Quality and believe it to be in very good order, as it has been kept in a good Warehouse and has been carefully carried down the River.

I am, &c.,

ETHELRED PHILLIPS.

## CHAS. THOMSON TO THE GOVERNOR OF NORTH CAROLINA.

[From Executive Letter Book.]

OFFICE OF SECRETARY OF CONGRESS,
June 7th, 1788.

SIR:

I have the honor to transmit to your Excellency herewith enclosed to be laid before the Legislature, a State of the representation in Congress for the month of May.

I have the honor, &c., &c.,
CHAS. THOMSON.

## GOV. JOHNSTON TO HUGH WILLIAMSON.

[From Executive Letter Book.]

EDENTON, 10th June, 1788.

I am favoured with your Letters of the 23rd & 26th of May, and now send you the printed Sheet of the Acts of our last Session of Assembly containing the Acts referred to in yours of the 26th. I wish it may come up to the Expectations of Congress. I expect shortly to see the Secretary and will get him to Certify a Copy of it should it be necessary. I have not yet been able to procure a Copy of the Journals, tho' I have repeatedly applied for them. The Printer has promised to send a Copy very soon, when I will forward the Extract you desire.

I am, &c., &c.,
SAM. JOHNSTON.

## GOV. SAML. JOHNSTON TO SECRETARY OF CONGRESS.

[From Executive Letter Book.]

EDENTON, 12 June, 1788.

SIR:

I have received your letter of the 3rd May enclosing the State of the Representation in Congress for the Months of March & April, and also your letter of the 12th of the same month, enclosing me the

Resolution of Congress, appointing Commissioners to settle the accounts of the Commissary, Hospital, Marine, and Clothing Department.

I have the Honor to be with great Respect, Sir,

Your most Obedt. Servant,

SAML. JOHNSTON.

## GOV. SAML. JOHNSTON TO SECRETARY OF FOREIGN AFFAIRS.

[From Executive Letter Book.]

EDENTON, June 12th, 1788.

SIR:

I have received your Letter of the 17th of May enclosing a Copy of the Act of his most Christian Majesty of the 29th of Dec., last, containing certain Regulations respecting the Trade of the United States with the Subjects of France, with the Letter of the Comptroller General of France to Mr. Jefferson.

I have the Honor, &c.,

SAM. JOHNSTON.

## CHAS. THOMSON TO THE GOVERNOR OF NORTH CAROLINA.

[From Executive Letter Book.]

OFFICE OF SECRETARY OF CONGRESS,

June 14th, 1788.

(Circular.)

SIR:

I have the honor to transmit to your Excellency herewith enclosed an Act passed the 11th of this Month by the United States in Congress Assembled, directing the mode in which the States are to be Credited for sums paid or which may be hereafter paid by them to Invalids, and limiting a time in which persons entitled to pensions as Invalids by past Resolutions of Congress; must make application and produce the requisite certificates and evidence to entitle them thereto.

I have the honor to be, &c.,

CHAS. THOMSON.

## J. BLOUNT TO GOV. JOHNSTON.

[From Executive Letter Book.]

WASHINGTON, June 20th, 1788.

SIR:

I have long delayed answering your favour by my Brother Jacob in order to get some papers to enable me to give you the wished for information. I have not yet got them, but expect soon shall when I shall immediately write to you.

I am, &c., &c.,

J. BLOUNT.

## CHAS. THOMSON TO HIS EXCELLENCY THE GOVERNOR OF NORTH CAROLINA.

[From Executive Letter Book.]

OFFICE OF SECRETARY OF CONGRESS.

June 24, 1788.

(Circular.)

SIR:

I have the honor to transmit to your Excellency herewith enclosed an Act passed this Day by the United States in Congress Assembled, granting further time to the States for exhibiting to the District Commissioners their respective Accounts against the United States and for sending in the Vouchers or other Testimony to support the same.

I have the honor to be, &c.,

CHAS. THOMSON.

## JAS. PORTERFIELD TO GOV. JOHNSTON.

[From Executive Letter Book.]

FAYETTEVILLE, June 26th, 1788.

SIR:

Your favour of the 29th of May has only come to hand a few days ago, which is the first and the only time I have heard from you on the subject of the Tobacco.

My return must without doubt have arrived at Edenton before this time, as it went by Post from Wilmington near three weeks ago.

Agreeable to your Orders, the Tobacco shall be shipped and stored at Wilmington, although I shall not be able to get it down immediately, owing to the river being low at this season.

I have the honor, &c., &c.,

JAS. PORTERFIELD.

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## GOV. JOHNSTON TO THE DELEGATES IN CONGRESS.

[From Executive Letter Book.]

EDENTON, 29th June, 1788.

GENTLEMEN:

The above Extract from the Journal should have been sent to you by the Clerk of the Assembly before you left this State, but understanding from Dr. Williamson that it had not come forward, I now send it & request that you will use your best endeavours to bring forward this matter in Congress in such manner as you may Judge most likely to accomplish the wishes of the State.

I have the Honor, &c., &c.,

SAM. JOHNSON.

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## FRANCIS CHILD TO GOV. JOHNSTON.

[From Executive Letter Book.]

HILLSBORO, July 1st, 1788.

SIR:

Inclosed your Excellency will receive a Copy of a Letter I this day received from Mr. Winder, the Commissioner for adjusting the Accounts of this State with the United States, by which you will observe the necessity of my presenting the Claims of this State as soon as possible and altho' it is utterly impossible to finish the business by the 24th of August next, by reason of the many Thousand accounts that have been heretofore exhibited to the different Auditors of this State, and a very great number of others which are again to be examined in order to discriminate the Continental from the Mili-

tia Accounts, particular entries of which are necessary to be made in Books for that purpose, before the vouchers are delivered, the Commissioner, yet wishing most fervently to exhibit all the accounts I possibly can, previous to the above mentioned time, in order so to do, I am to request your Excellency to empower me to employ two or three more Clerks for that purpose. Mr. Winder has now six Clerks to go on with the Accounts, and I have but two, and one of them has been here but a few days only, makes it impossible for me to keep way with them, whereas I ought to precede them in preparing the accounts & Vouchers entering the Militia and Specific Claims, whilst they are entering the different Accounts that Mr. Winder finally passes.

It may seem strange that the Business requires so many Clerks to expedite it, but no person who has not been in the Office can have any Idea of the Magnitude of it.

As I wish to have your Excellency's directions with respect to employing more Clerks as soon as possible, I have sent Jackey McKeral as an Express that no time may be lost, hoping that your Excellency will think it necessary to give me such directions without the advice of Council, if they should not be at Edenton when this reaches you. As it will be impossible to finish the Business in the time prescribed, I must submit to your Excellency the Consideration of the Necessity of Writing to our Delegates in Congress to have the time lengthened, altho' Virginia did not succeed in the like request, as it will be like doing nothing to do it only in part. And if you should be pleased to write to the Delegates on this Matter, I should be glad to know from them to whom I am to pay the Continental Money now in my possession, as Mr. Winder does not mean to receive it.

I have wrote to the Clerks of the Assembly to forward to my Office Agreeable to a Resolve of the last Assembly the public Accounts that may be in their possession, but as they have not done it, I will thank your Excellency to write to them, as I imagine they will comply with your Instructions sooner than with my request. It is necessary I should have them immediately.

The Clerks that are in the Office now I have engaged at the rate of £250 per Annum & suppose I could get the other three if they are to be got at all at that rate.

Inclosed you have likewise an account for my half year's Salary

home to the last of June, together with Mr. Bright's Account amounting in the whole to £302 1 8, for which I will thank your Excellency to send me per Bearer warrants on the Treasury as mentioned below.

| | | | |
|---|---|---|---|
| 1 Warrant for | £ 52 | 1 | 8 |
| 2 Warrants for | 200 | 00 | 00 |
| 1 Warrant for | 50 | 00 | 00 |
| | £302 | 1 | 8 |

I am, &c.,
FRANCIS CHILD.

## GOV. SAML. JOHNSTON TO THE SECRETARY OF CONGRESS.

[From Executive Letter Book.]

EDENTON, 1st July, 1788.

SIR:

I have received your Letters of the 7th of June and the 14th of June, with the papers to which they respectively relate.

I have the Honor, &c.,
SAML. JOHNSTON.

## GOV. SAML. JOHNSTON TO THE SECRETARY OF FOREIGN AFFAIRS.

[From Executive Letter Book.]

EDENTON, 1st July, 1788.

I have received your letter of the 26th of May enclosing the Copy of a Note from the Envoy extraordinary of his Swedish Majesty at the Hague to Mr. Dumas and shall pay particular attention to the subject to which it relates, if any opportunity should offer for the service of Major Roxendorff.

I have the honor, &c.,
SAML, JOHNSTON.

## CHAS. THOMSON TO GOVERNOR OF NORTH CAROLINA.

[From Executive Letter Book.]

OFFICE OF SECRETARY OF CONGRESS,
July 17th, 1788.

SIR:

I have the honor to transmit to your Excellency herewith enclosed a Supplement to the Ordinance ascertaining the mode of disposing of Lands in the Western Territory which was passed by Congress the 9th of this month.

I have the honor, &c.,
CHAS. THOMPSON.

## FRANCIS CHILD TO GOV. JOHNSTON.

[From Executive Letter Book.]

HILLSBORO, July 20th, 1788.

SIR:

A few days ago the Commissioners of Confiscated property in the County of Dobbs, presented an account of Debts, due from Sundry Individuals in this State, to persons proscribed in the Confiscation Laws, and tendered Certificates for payment, but as a Resolve passed the last Session of Assembly implying that no Suits should be Commenced against others who owed in like manner, I refused to take the Certificates but for fear I should have been wrong in so doing I should be glad of your Instructions in the Matter.

I am, &c., &c.,
FRAN. CHILD.

## THOMAS PINCKNEY TO GOV. OF NORTH CAROLINA.

[From Executive Letter Book.]

CHARLESTON, 28th July, 1788.

SIR:

The Papers of which I have the Honor of herewith transmitting to your Excellency contain a recital of several outrages lately committed on a Nation of Indians in Amity and alliance with the United

States. As I have no reason to doubt the Authenticity of the information & as the Persons who have perpetrated the deeds complained of Appear to be the Inhabitants of the State in which you Preside, I have taken the liberty of forwarding to you Copies of the documents handed to me by the Commanding Officer of the Militia on the Western Frontiers of this State; not doubting but that if upon investigation you shall find no misrepresentation in the accounts therein contained, you will direct such measures as justice & humanity shall dictate and thereby prevent a hostile combination of the Southern Tribes of Indians which the present Situation of Affairs give us reason to apprehend.

I have the Honor, &c., &c.,

THOMAS PINCKNEY.

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## GOV. JOHNSTON TO JUDGE CAMPBELL.

[From Executive Letter Book.]

HILLSBOROUGH, 29th July, 1788.

It has been represented to the Executive that John Sevier, who stiles himself Captain General of the State of Franklin, has been guilty of high Treason in levying Troops to oppose the Laws & Government of this State and has with an armed force put to death several good Citizens. If these facts shall appear to you by the affidavits of Credible persons, you will issue your warrant to apprehend the said John Sevier & in case he cannot be sufficiently secured for Tryal in the District of Washington, order him to be committed to the Public Gaol for the district of Hillsborough and I will give orders to the commanding Officer of Washington District to furnish a sufficient Guard to Assist the Sheriff in the Execution of his Duty.

It is necessary that this business be conducted with secrecy & dispatch, in order that it may succeed in such manner as to restore peace & tranquility to that part of the State; you may include in the Warrant against Sevier any one or two of his associates, such as may appear to you to have been most active in his Treasonable practices.

I am, &c., &c.,

SAM. JOHNSTON.

## GOV. JOHNSTON TO GENL. JOSEPH MARTIN.

[From Executive Letter Book.]

HILLSBOROUGH, 29th July, 1788.

You are to order a sufficient number of the Militia of the District of Washington to aid and assist the Sheriff of any County in the said District in the Execution of any Warrant or Warrants for the apprehending any person or persons who have been guilty of Treasonable practices against the State and furnish such Sheriff with a sufficient Guard or Escort to enable him to convey such prisoners to the place of their Destination.

SAM. JOHNSTON.

## JOHN SWANN & HUGH WILLIAMSON TO GOV. JOHNSTON.

[From Executive Letter Book.]

NEW YORK, 29th July, 1788.

DEAR SIR:

By Express last night from Pokepsie, we learned that on Friday 25 a motion was made for adopting the new Constitution as recommended by the General Convention on September last. This motion was carryed by a Majority of five. A previous Question had been taken for adopting the Constitution for a limited, &c. This was lost by a Majority of four. The paper we shall forward may contain more particulars.

The Inhabitants of this City since the arrival of the above intelligence have hardly been moderate in their Expressions of Joy. The State of New York had so many arguments of private Interest that seemed to tempt her to adhere to the old form of Government, that we confess, the Act mentioned was rather unexpected at so early a period. This event is of such importance that we conceive ourselves bound to give you notice of the same by the first opportunity. Capt. Chris. Clark, who was to sail early this morning is charged with this intelligence, which probably will be forwarded from Edenton by Express, but as Water passages are more uncertain, we shall forward this by Post and request of some Gentlemen in Petersburg to give it furtherance.

Congress are extremely desirous to fix the Time & Place where & when proceedings shall commence under the new Government, hitherto they have been restrained, partly as we conceive from a regard to the feelings of our State; we flatter ourselves, however, that no time will be lost in letting us know the Result, after our Convention shall have taken its Resolutions.

We have the Hon., &c., &c.,

HUGH WILLIAMSON,
JOHN SWANN.

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## GOV. JOHNSTON TO BRIGADIER GENERAL JOSEPH MARTIN.

[From Executive Letter Book.]

HILLSBORO, 29th July, 1788.

It appearing to the Executive that mutual murders, Robberies & other outrages have been committed in the District of Washington between the Citizens of the State and the Cherokee Indians, and that there is reason to apprehend that a Bloody and destructive War will probably be the Consequence unless an Accommodation with that Nation can speedily be effected, & the Council of State having thought it proper that a person be appointed to Treat & Negotiate a Peace with that Nation.

I having great Confidence in your Fidelity and Abilities in Business of this Nature, desire that you will as soon as may be repair to the Nation & hold a Talk with them and enquire into their complaints & endeavour to give them satisfaction by assuring them that the Government of this State is perfectly well disposed to live in the strictest Friendship with them, & to restrain the Citizens of this State from committing Outrages on them, that you will use your utmost influence on them by bringing about an Accommodation in such manner as may most effectually secure peace & tranquility. If you find that they are not disposed to treat & that there is no possibility of bringing about an Accommodation by Negotiation, you will pursue such other methods as you with the advice of the principal Officers of the District of Washington may judge most conducive to the safety and security of the Inhabitants of that District.

Recommending to you the utmost prudence & Circumspection in this Business, and that you will use every means in your power to

allay all heats and Animosities subsisting between the Citizens of this State & the several Indian Tribes so as to prevent Hostilities,

I remain, &c.,

SAM. JOHNSTON.

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GOV. JOHNSTON TO THE CHEROKEE NATION.

[From Executive Letter Book.]

HILLSBORO, 29th July, 1788.

BROTHERS & WARRIORS:

General Martin and some other of our Warriors on the Western Waters, have informed me & the Council of State, that some of our people have been killed either by the Creeks or your people on the Western Waters, and they without any orders from us or any of the Head men or Warriors of this State have killed some of your people in a manner which we do not approve of. We have ordered General Martin, our Head Warrior, on the Western Waters, to hold a Talk with you and to hear what complaints you have against any of our people, and if any of them have injured you without sufficient cause to take them up and send them to us that they may receive Correction & punishment & do desire you to take measures with your people to prevent them from killing & Robbing the White People on the Western Waters and to assure you that it is our desire that your people and ours should live together like Brothers and bring up our children together like sentiments of Friendship & Amity.

If any of our people should at any time do you any injury let Genl. Martin know it, and I will give orders to punish them & give you satisfaction, and you on your part must take care to do us the same justice when he makes any complaints to you that by this means we may live in Amity as Long as the Sun & Moon last.

SAML. JOHNSTON.

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BY HIS EXCELLENCY SAMUEL JOHNSTON, ESQUIRE, GOVERNOR, CAPTAIN GENERAL AND COMMANDER-IN-CHIEF IN & OVER THE SAID STATE.

[From Executive Letter Book.]

A PROCLAMATION.

Whereas, it has been represented to me that several ill disposed persons within the District of Washington have been guilty of Com-

mitting Outrages against the Indian Inhabitants & have in a most cruel & unjustifiable manner put some of these People to Death,

I do therefore by and with the Advice & Consent of the Council of State, strictly enjoin all the Citizens of this State from going on the Frontiers assigned to the Indians or Committing any Hostilities against them without the express Order & permission of the Commanding Officer of the said District.

Given under my hand & great Seal of the said State at Hillsborough, this 29th day of July, 1788.

SAM. JOHNSTON.

[From Executive Letter Book.]

His Excellency Saml. Johnston, Esqr., Governor, &c., of the said State, to Sundry Inhabitants on the Indian Territory in the District of Washington.

I some time past received a Petition signed by you which I have laid before the Council of State, which having taken under their consideration have advised me to lay it before the General Assembly, who have it more amply in their power to afford you the relief prayed for in your Petition.

In the meantime I have to recommend to you that you conduct yourselves in an orderly and peaceable manner, which will ensure to you the support & protection of this State in every instance not incompatible with Treaties binding on the State.

Given under my hand and Seal at Arms at Hillsborough this 30th day of July, 1788.

SAM. JOHNSTON.

## GOV. SAML. JOHNSTON TO HON. ALEX. MARTIN, ESQR.

[From Executive Letter Book.]

Hillsborough, 3rd August, 1788.

Sir:

You will oblige me very highly if you will by the first opportunity furnish me with such information as you may have in your power respecting the demand which the Government of Martinique has against this State, particularly what was the amount of the De-

mand, to what amount you drew on the Treasury in discharge of it, & whether any particular mode was laid down by the Assembly, as I have had some late applications on that subject, & having no documents in my power from which I can obtain information respecting these particulars, I hope you will be good enough to excuse my giving you this trouble.

I am, &c.,
SAML. JOHNSTON.

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GOV. SAML. JOHNSTON TO FRANCIS CHILD.

[From Executive Letter Book.]

HILLSBOROUGH, 5th August, 1788.

SIR:

I have laid your Letters before the Council of State & with their advice empower you to employ three Additional Clerks if so many are necessary, to assist you in dispatching the settlement of the account of this State with the United States, at the rate of not more than £250 per Annum; Also to employ a Waggon to Convey the Continental money in your possession to the Treasurer of Loans & to employ a proper person to count & deliver the same and to take a proper discharge. You are not to receive Certificates in payment of Debts due from the Citizens, indebted to persons coming within the description of the Confiscation Laws.

I am, &c., &c.,
SAML. JOHNSTON.

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GOV. SAML. JOHNSTON TO JAS. PORTERFIELD, ESQR.

[From Executive Letter Book.]

HILLSBOROUGH, 5th August, 1788.

SIR:

I have laid your information respecting the high price of Tobacco at Fayetteville before the Council of State, who approve of your proposal to decline making any further purchases for the present. You will, therefore, discontinue the purchase of Tobacco at that place till the New Crop comes in.

I am, &c., &c.,
SAML. JOHNSTON.

## RICH. WINN TO GOV. JOHNSTON.

[From Executive Letter Book.]

WINNSBOROUGH, August 9th, 1788.

SIR:

By Talks received from the Cherokee Chiefs of the lower Town that a party with Col. Jno. Sevier have destroyed several of their Towns, killed near 30 of their people and made one prisoner. Notwithstanding this, they declare for peace and say it is the Creeks and not them that do any mischief to the Whites; and as it is the wish of Congress to hold a Treaty with this Nation as soon as possible, I take the liberty to request that you will write to the Commanding Officer of the Frontier of your State not to permit any party whatever to interrupt such Towns of Indians as behave & declare themselves peaceable.

It is my duty further to acquaint you that the said Cherokee Chiefs have given Notice, as to the part of their Nation where these outrages have been committed, they mean to spill Blood.

For the safety of the Frontier Inhabitants it may not be amiss to keep a watchful eye over these merciless Savages, but this, Sir, rests with yourself.

I am, &c.

RICH'D WINN.

P. S.—The Indians say 30 Towns are for peace. I suppose it is their Back or Over hill Towns that are for War.

## HON. WILLIE JONES TO GOV. JOHNSTON.

[From Executive Letter Book.]

HALIFAX, August 11, 1788.

D. SIR:

As I mean to serve as a Member of the next General Assembly, if the people will Elect me, I beg leave to resign my appointment as a Counsellor.

I am, &c.,

WILLIE JONES.

## CHARLES JOHNSON TO GOV. JOHNSTON.

[From Executive Letter Book.]

STRAWBERRY HILL, 15th Aug., 1788.

SIR:

As the Inhabitants of the County seem desirous of Electing me to represent them in the next General Assembly; and as agreeable to the Constitution, I cannot have a seat in either House while I remain a Member of the Council of State.

To comply with the wishes of the County I am under the necessity of resigning that Office. I therefore request your Excellency to accept my resignation of it.

I have the Honor, &c., &c.,

CHARLES JOHNSON.

## GOV. JOHNSTON TO THE DELEGATES IN CONGRESS.

[From Executive Letter Book.]

EDENTON, 15 August, 1788.

GENTLEMEN:

Inclosed you will receive a Resolve of the Convention of this State offering Amendments to the Constitution proposed for the Government of the United States, by which you will perceive that they did not think it expedient to adopt it before the proposed Amendments were considered by a Convention of the States, and such of them as were approved of ingrafted into the Constitution.

The Convention have fixed the Seat of Government at such place as the Assembly may appoint, within ten miles of the Plantation whereon Isaac Hunter at present resides, in Wake County.

I have the honor, &c.,

SAM. JOHNSTON.

## GOV. SAM. JOHNSTON TO THE GOVERNOR OF SOUTH CAROLINA.

[From Executive Letter Book.]

EDENTON, 20th August, 1788.

SIR:

I am very much obliged to your Excellency for the information which you did me the honor to communicate in your letters of the

28th of July, the authenticity whereof I had not the least reason to doubt, having some time before had a detail of the particulars from the Commanding Officer of Washington District & had given such orders as if duly attended to & faithfully executed I flatter myself will give satisfaction to the Indians & prevent further Hostilities for the present.

I have the Honor, &c., &c.,

SAM. JOHNSTON.

## GOV. JOHNSTON TO THE N. C. DELEGATES IN CONGRESS.

[From Executive Letter Book.]

EDENTON, 25th August, 1788.

GENTLEMEN:

Since I wrote you on the 15th the enclosed Copies of Resolutions of the Convention have come to hand & Agreeably to order of the Convention I have forwarded a Copy to the President of Congress & to the Governors of the respective States in the Union. I think it is proper that you should likewise be furnished with a copy, tho' no order of Convention to that purpose, in order that you may have the substance of their proceedings before you. As soon as the Journal is published at large I will send you a Copy; I also send you an Authenticated copy of the Act of Assembly which enacts that the treaty of peace shall operate as a Law of this State.

I am, &c.,

SAM. JOHNSTON.

## GOV. SAM. JOHNSTON TO MONSIEUR DUCHER.

[From Executive Letter Book.]

EDENTON, August 25, 1788.

SIR:

I have not hitherto been able notwithstanding every effort I have made to discover the true state of the Debt due from this State to the Government of Martinique.

As I have a great desire to bring that matter to a conclusion, You will do me a particular favour if you can inform me what the origi-

nal Sum due was, what has been since paid & what Balance still remains to be paid and who has a right to receive it, and give a discharge.

SAM. JOHNSTON.

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CHAS. THOMPSON TO GOV. OF NORTH CAROLINA.

[From Executive Letter Book.]

(Circular.)

OFFICE OF SECRETARY OF CONGRESS,

SIR:

I have the Honor to transmit to your Excellency herewith enclosed a requisition of the United States in Congress Assembled for the year 1788, for further illustration I must beg leave to refer you to the letter which the Board of Treasury will write to you on this subject.

I am, &c.,

CHARLES THOMSON.

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SAM. JOHNSTON TO RICH'D WINN.

[From Executive Letter Book.]

EDENTON, 31st August, 1788.

SIR:

The Information which you did me the honor to favour me with in your Letter of the 9th had reached me some time past. I had given orders for process to issue to apprehend Sevier & had directed the Commanding Officer on the Frontier to pursue a Line of Conduct similar to that pointed out in your Letter. It gives me pleasure to find that your Ideas in this particular so intimately correspond with the measure I have adopted to restore & preserve the peace of the Frontiers.

SAM. JOHNSTON.

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GOV. JOHNSTON TO THE N. C. DELEGATES IN CONGRESS.

[From Executive Letter Book.]

EDENTON, 31st August, 1788.

GENTLEMEN:

By the last Post I received a Letter from the Secretary of Congress, enclosing a Resolution of Congress of the 14th of this Month

allowing a further sum in addition to what was allowed by the Resolve of the 26th of October, 1787, for defraying the Expence of treating with the Southern Indians.

Mr. Thomson observes that the Resolution of the 26th of October was transmitted to me in due time, which would imply that it came in time to lay it before the Assembly at their last Session. The fact is that I did not receive it till some time after their Adjournment, the reason why I did not immediately appoint a Commissioner to act in conjunction with the other Commissioners was that the instructions to the Commissioners empowered them to settle the boundaries of the State, a Business which the Council thought properly belonged to the Sovereignty of this State, & that we ought not to put it in the power of any other State or States to Circumscribe or limit our Boundary. When this Subject was lately under the Consideration of the Council, tho' they were disposed to have complied with the Requisition of Congress so far as it related to furnishing a proportion of the Expence, yet they had no means in their power to command any sum in specie & paper Currency would not answer the purpose.

I have given repeated orders to the Commanding Officer in this District of Washington to cultivate Specific measures with the Indians & to the utmost of his power to prevent the Citizens of this State from committing depredations on them.

It gives me real concern that the Exertions of the Executive Department in this State should fall short of the wishes, but to you who are so well acquainted with the particular difficulties under which we labour it will not appear strange.

I am, &c.,

SAM. JOHNSTON.

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## HON. HUGH WILLIAMSON TO GOV. JOHNSTON.

[From Executive Letter Book.]

New York, 1st Sept., 1788.

Sir:

The Delegates to represent the State in Congress from the first Monday in November next were chosen, I think, in the following order: White, Ashe, Hawkins, Stokes, Williamson, McDowell. The first three mentioned have the option by a general order of serving

first, but I presume that Mr. Ashe has resigned and it is said not to be probable that Mr. Stokes will come to Congress on the next Winter. I am not informed whether Mr. Hawkins proposed to come, but you are probably informed by this time whether any three of the four Gentlemen first named propose to attend in Congress from the first of November next. If they have not given you notice of intention, it will become my duty to attend and being determined punctually to perform every service that I owe the State, I propose to hold myself in readiness to attend in Congress Accordingly. You will, therefore, be pleased to issue Warrants in my favor for the next six months' salary as Delegate in Congress. If you are so good as put the Warrants into the hands of Mr. Collins, he will negotiate them for my accounts.

By looking over the public journal, you will observe that many things continue to engross the Attention of Congress which are of considerable National Importance.

Questions which respect old claims against the public and the calling delinquents to account and lowering the National Debts. Whether North Carolina shall be confederated or not, she is equally interested with other States in those measures. With whatever fidelity or Abilities I may serve the State the Journals will show that I do not eat the Bread of Idleness.

I have the honor, &c., &c.,

HUGH WILLIAMSON.

Govr. Johnston.

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## CHAS. THOMSON TO GOV. OF NORTH CAROLINA.

[From Executive Letter Book.]

OFFICE OF SECRETARY OF CONGRESS,

September 4th, 1788.

I have the honor to transmit to your Excellency herewith enclosed a proclamation issued by the United States in Congress Assembled & sundry Resolutions passed by them touching intrusions upon the hunting grounds reserved by the Treaty to the Cherokees, & unprovoked outrages committed upon the said Indians. I trust your Excellency will as far as depends on you, use your influence that the proclamation & measures taken by Congress may have the intended

effect to restore peace & harmony between the Citizens of the United States and the Cherokees & to prevent any further invasions of their respective rights and possessions. I also enclose a Copy of the papers which have been transmitted to Congress respecting Hostilities alleged to have been committed by John Sevier & others into which you are earnestly requested to cause enquiry to be made & if found true to take measures to have the perpetrators thereof apprehended & punished.

With the greatest Respect, &c.

CHAS. THOMSON.

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GOV. JOHNSTON TO CHAS. THOMSON.

[From Executive Letter Book.]

EDENTON, 29th Sept., 1788.

SIR:

I have received the several papers enclosed with the Letter which you did me the honor to write to me on the fourth of the present month. I have ordered the proclamation of the President of Congress to be published & have sent several copies to the Western Frontiers of this State. The facts charged against Sevier and his Associates came to my knowledge some time late in July last, when I immediately gave directions to the Judge of Washington District to issue his warrant for apprehending them and at the same time gave orders to the Commanding Officer of the Militia in that District to support the Civil Majestrate in the execution of his Duty. I at the same time took such other measures as appeared to me best calculated to conciliate the Indians & to restrain the Whites from Committing Outrages.

I am, &c.,

SAM. JOHNSTON.

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CHAS. THOMSON TO GOV. OF NORTH CAROLINA.

[From Executive Letter Book.]

OFFICE OF SECRETARY OF CONGRESS,

September 6th, 1788.

(Circular.)

SIR:

I have the honor to transmit to your Excellency herewith enclosed

to be laid before your Legislature Statements of the Representation in Congress for the months of July & August.

I am, &c.,

CHAS. THOMSON.

HON. HUGH WILLIAMSON TO GOVR. JOHNSTON.

[From Executive Letter Book.]

New York, 6th Sept., 1788.

Sir:

Inclosed is a proclamation with sundry resolves of Congress respecting the Indians on our Frontiers. You will receive from the Secretary of Congress the Copy of papers that have been received from different quarters respecting the barbarities that have been practised against the Cherokees, by people who do not profess themselves Amenable to the Laws of our State. You know that a Treaty is now pending with the Southern Indians and Georgia which has been long suffering under the knife, begins to hope for a general peace. In such a conjuncture the conduct of Mr. Sevier was not only fatal to their hopes, but perfectly alarming to the States of South Carolina and Virginia, each of them might suffer by a general Indian War and the delegates from these States earnestly request that preventive measures may be taken. While this question was agitated in Congress you may believe that the Delegates from North Carolina found themselves in a very delicate & critical situation. The Treaty of Hopewell had given much offence to many good Citizens in our State because it was supposed to have surrendered Lands to the Indians which they had formerly sold or exceeded to the State; but this Treaty was now to be quoted and it had been already entered on the Journals of Congress April the 17th, 1786, which is considered as a Ratification. The Delegates were fully persuaded that a great Majority of the people who inhabit the Counties of Washington, Lincoln, Green, and Franklin are peaceable, good Citizens, and they knew that the Inhabitants of Davidson and Sumner Counties had ever claimed and been entitled to the protection of the State. We resolved that nothing in our power should be unattempted to preserve peace in those several counties and to save the unoffending women and children from the hand of the savage. This could not be done

without taking notice of the Treaty, but the Delegates attempted such amendments as seem to render the Treaty very harmless.

After causing several things to be struck out which had been reported by the Committee we moved the final proviso which is inserted in the Proclamation. This proviso as we conceive, leaves by implication every Claim of the State in its useful force. Whenever the present Settlements shall have acquired sufficient strength and the State shall be desirous to extend her Settlements she has only to buy a farther claim of Soil from the Indians or show that she has penitent claims of a greater extent. The Treaty of Hopewell will never operate against the Territorial Claims of the State whenever she thinks fit to make them. The Proviso respecting the settlers near the fork of the French Broad river is professedly made a negative one. The Delegates could not agree to confirm them in their possessions because we have been told that they have no titles from the State; we only propose for the information of the Indians, that they should not be removed by the Operation of the Treaty.

On the whole our object and desire in the first place was to save the State if Possible from the heavy expences of an Indian War and to preserve the weak & scattered settlers in our Western Counties in safety and Peace, on the other hand we wished not to give additional force to any act by which the rights of the State might be impaired. In such apparent opposition of Interest it may be impossible to give universal satisfaction & it may at the same time be criminal to refuse an opinion; in whatever light the subject may be viewed by our Constituents, the Delegates have the Satisafaction to be conscious that their object was to save the lives of many Innocent & helpless fellow Citizens.

I have the Honor, &c.,

HUGH WILLIAMSON.

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## DUCHER, FRENCH VICE-CONSUL, TO GOVERNOR JOHNSTON.

[From Executive Letter Book.]

WILMINGTON, 10 Sept., 1788.

Je recois la lettre que vous m'avez fais l'honneur de m'ecrire le 29 Aout par lequelle vous me demandez, des details sur la dette de la Caroline du Nord envers les Administrateurs de la Martinique; Je

vais ecrire a New York pour en recevoir les informations que vous souhaitez: Je vous les transmitterai des quelles me feront parvenues. Le desire que vous exprimez, Monsieur, determiner cette affaire me fait un devoir de vous Aider.

Pour augmenter la Commerce entre le France a l'Etat de la Caroline du Nord, le mellieur moynes feroit de faire connoitre Aux Chambres des Commerce de France les Exportations de la Caroline du Nord, & quels articles peuvent y'etre Importes. Votre Excellence recois des Collecteurs & des Naval Officeurs de chaque port de l'Etat, le nombre, le pavillon, le tonnage, des Batiments entres ou Sortis, avec l'espiece, la qualite des Articles Importes & Exportes, ainsi que la valeur des Articles importes sur laquelles les droits sont percues. Oserai—je demande a Votre Excellence un Tableau general de Commerce & de la Navigation de l'etat de la Caroline du Nord, pour 1787, Continent tous les objects au depuis pour les Importations & Exportations.

Je serois personnellement tres reconnaissant envers vous Monsieur si vous voulez bien le M'envoyer & le Tableau plutot qu'il vous sera possible, & J'ai les plus fortes Esperances qu'il sera utile a vos Concitoyons & a mes Compatriots, dont l'Interest est de s'unir pas le Commerce & l'Amitie.

Je suis, &c.,

DUCHER.

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## CHAS. THOMSON TO GOV. OF NORTH CAROLINA.

[From Executive Letter Book.]

(Circular.)

OFFICE OF SECRETARY OF CONGRESS,
September 13th, 1788.

SIR:

I have the honor to transmit to your Excellency herewith enclosed an Act of the United States in Congress Assembled for putting into operation the Constitution now ratified by the Convention of eleven States.

I have the honor, &c.,

CHARLES THOMSON.

## CHAS. THOMSON TO THE GOVERNOR OF NORTH CAROLINA.

[From Executive Letter Book.]

(Circular.)

OFFICE OF SECRETARY OF CONGRESS,
Sept. 17, 1788.

SIR:

The several attempts already too successfully made, & particularly a recent one countenanced & promoted by the British Governor of New Providence, to pour into the United States Convicts, have induced Congress to pass the recommendation of which I have the honor to transmit to your Excellency a Copy herewith enclosed. I trust this recommendation will command the earliest attention of your Legislature and that they will take effectual measures to vindicate the honor of their Country & put a stop to such nefarious Attempt.

With the greatest respect, &c., &c.,
CHARLES THOMSON.

## GOV. JOHNSTON TO DR. WILLIAMSON.

[From Executive Letter Book.]

EDENTON, 22nd Sept., 1788.

Your Letters of the 1st and 6th of this month are both before me. I had before they came to hand issued warrants which were lodged with Capt. Collins in your favour for six months' Salary, of which you will no doubt be advised before this reaches you. Mr. Hawkins was willing to decline in your favour, but I have heard nothing from Mr. Stokes. If he is desirous of coming forward, there is still room for him; if not, I think it is probable that he will is necessary. It is certainly necessary that North Carolina should be represented in the Federal Councils as long as Circumstances will admit.

I had information at Hillsborough of the conduct of some of our people to the Westward complained of by the Indians and in July last issued my Proclamation forbidding any of the Citizens of the State from entering on the Indian Territory or Committing Hostilities without the Order of the Commanding Officer of that Quarter. I at the same time gave orders to Brigadier General Martin to

use his utmost efforts, to restrain the people in his District from further outrages & by every means in his power to conciliate the minds of the Indians and to act altogether on the defensive. I also wrote a friendly letter to the Indians disavowing the Conduct of Sevier & his party & gave directions to the Judicial Authority to issue Warrants for apprehending Sevier & such of his Associates as appeared most criminal & gave orders to the Commanding Officer of the Militia to support the Civil Majestrates in the execution of their duty and in case Sevier could not be secured on that side of the Mountains, to furnish a Guard to convey him to Hillsborough to be confined in the Goal of that District, till he could be brought to a regular tryal for several acts of Treason committed against this State. These measures, if duly attended to & faithfully executed, I flatter myself would have gone considerable lengths in restoring Tranquility to that Country & given satisfactions to the Indians. It was however all which at that time Occurred to me in my power to do after having consulted the Council who advisel & approved of the measures. I do not know what effect the measures ordered by Congress may have; much will depend upon the discretion of the Officer who has the command of the Troops destined for that service. Should he pursue the Resolve of Congress literally he will ruin a very respectable Settlement of upwards of 1,500 Families Settled on the South Side of French Broad River. These people settled there I am informed, with the consent of the Indians & have had no share in the outrages that have lately been Committed by Sevier & others, but Have always lived in Amity with the Indians. They are avowedly within the Indian Boundary & have made an application which is to be laid before the next General Assembly for directions in what manner they are to proceed in order to obtain a regular title to their Lands.

The People Inhabiting the Lands on the Fork of French Broad and Holstein Rivers claim under Grants from this State; regularly issued from the Secretary's Office & executed by the Governors, these people are therefore as much under the protection of the State as any other of her Citizens. For this reason as well as some others which I have heard, the Treaty of Hopewell will probably ever be reprobated by every good Citizen of this State. I have the Honor, &c.,

SAM JOHNSTON.

## JOHN JAY TO THE GOVERNOR OF NORTH CAROLINA.

[From Executive Letter Book.]

OFFICE OF FOREIGN AFFAIRS, 11 Oct., 1788.

SIR:

Although the Act of Congress of which the enclosed is a Copy has been published, yet it appearing proper that your Excellency should receive it in an official manner, I do myself the honor of transmitting it under the same Cover with this, and am with great Respect.

Your Excellency's Most Obedt. & Humble Servt.,

JOHN JAY.

## RICH'D WINN TO GOV. JOHNSTON.

[From Executive Letter Book.]

WINNSBORO, October 17th, 1788.

SIR:

I have to acknowledge the receipt of your favour of the 31st of August and am happy to find that your Ideas and mine coincide with respect to the establishment of peace on your Frontier.

I do myself the honor of inclosing you a Copy of the Resolves of Congress of August the 14th, 1788, and as it is the wish of that Honorable Body that a Treaty should take place with the Cherokee Indians in order to put a stop to any further effusions of Blood, I earnestly request that you will use every exertion in your power to procure your quota of supplies and send on a Commissioner immediately in order to facilitate a Peace as soon as possible.

With respect to a place for holding a Treaty the Commissioners for this State & Georgia as well as myself, think Kenohee the most convenient spot, but should you dissent from us in that case and can point out a place more suitable for provisions, &c., our Ideas shall be no Barriers to prevent its going on.

You should name as early a day as possible giving time to that Nation to be prepared, for the purpose and favor me with an answer by the Express enclosing at the same time the Boundaries between your State and the Cherokees. I enclose to you a Talk sent that

Nation but should the supplies not be complied with on your part it will be impossible to carry the Treaties into effect.

I am, &c.,

RICH'D WINN.

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HON. CHAS. THOMSON TO THE GOVERNOR OF NORTH CAROLINA.

[From Executive Letter Book.]

(Circular).

OFFICE OF SECRETARY OF CONGRESS,

Oct. 18th, 1787.

SIR:

I have the honor to transmit to your Excellency herewith enclosed, an Act of the United States in Congress Assembled, touching the grant of favours to foreign Nations; and a requisition for the year 1787, which your Excellency will be pleased to lay before your Legislature. For further details on this last I beg leave to refer you to the Letter which the Board of Treasury will write to you on this subject. I also send enclosed an Act for keeping up a Body of 700 Troops.

With the greatest respect I have the honor to be

Your Excellency's most Obedient,

& most Hubl. Servt.,

CHAS. THOMPSON.

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HON. CHAS. THOMSON TO THE GOVERNOR OF NORTH CAROLINA.

[From Executive Letter Book.]

(Circular).

OFFICE OF SECRETARY OF CONGRESS,

Oct. 25, 1788.

SIR:

I have the honor to transmit to your Excellency herewith enclosed, a representation of the United States in Congress Assembled, to the States of North Carolina & Georgia, on the subject of their surrendering up a portion of their Territorial Claims for the General benefit.

In order to give your Excellency a more comprehensive view of

the subject, I have thought it not improper to accompany the present Act of Congress, with a Copy of their first recommendation, and the declarations and instructions of Maryland which gave rise to it, and beg leave to inform you that when Maryland impowered her Delegates to subscribe the Articles of Confedaration, the Legislature did it, with a reliance on the Justice of the several States, thereafter touching the Claim Stated in their declaration.

I have only to add that in complyance with the Recommendation of Congress the States of Massachusetts, Connecticut, New York, Virgina & South Carolina have made Cessions of Territorial Claims in the Western Country. which are now selling for public Securities, & that Congress have such faith in the Justice & Magnanimity of the States of North Carolina & Georgia, that they only think it necessary again to call their attention to the subject, not doubting but upon consideration of it, and the Circumstances attending it, they will feel these obligations which will induce them to make similar Cessions, & justify the Confidence which has been placed in them.

With the greatest Respect I have the honor to be

Your Excellency's Most obedt. Hbl. Servt.,

CHAS. THOMSON.

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HON. A. MACLAINE TO HON. EDWARD JONES.

WILMINGTON, 14th Nov., 1788.

DEAR SIRS:

I was much pleased with the intelligence in yours of the 9th respecting the number of Federalists in the Assembly. If a Convention is called I think they will multiply.

We have reports here of a money bill and an instalment bill. The latter or one of that kind has actually passed into a law in S. Carolina, and I am apprehensive it will have bad effects on the Federal interest; for it is expressly in the face of the Constitution which that State has adopted. If there is (which I think probable) any intention to bring forward a money-bill the measure must originate with Tom Person; but he never produces his budget till he is pretty certain he has sufficient strength to support it. I flatter myself that he will find his party too weak for such a pernicious measure; for independent of Willie Jones's intention, relative to depreciation, that gentlemen however lost to all sense of public virtue in other

respects, never can act a part so contradictory to his avowed sentiments in public life.

I cannot conceive what Steele's bill is. I introduced one for the admission of attornies two years ago at Fayetteville; and though it had the approbation of every gentleman of the bar, who was in the assembly, it was rejected, I believe in the Senate. Col. Davie introduced another last year at Tarborough. Upon examination then perhaps Mr. Steele's bill might be amended.

Notwithstanding what you say to the contrary, I have not much hopes that the disqualifying acts will be repealed; yet I am glad that an attempt will be made, without coming from this quarter.

I do not know what Pugh Williams can allege against the commissioners, of the jail, but negligence in enforcing the payment of the taxes. Something of this is true; but on the other hand, they have to my knowledge, applied frequently without success, to the county court clerks, for certified accounts of the sums due by the sheriffs. When these were sent, it was often without the names of the sheriffs who were liable. I think the laws are defective. No measure can be adopted without a majority. Their own avocations frequently at a distance from Wilmington, engross their attention. I think there should be an amendment empowering them to appoint one of their own number, or some other person, treasurer and superintendent of the work with authority to call in, and sue for the taxes, allowing him a reasonable commission for his trouble, and obliging him to give security.

Though I have written so much it has been done with great labor. My head is confusion itself. I have had a slow fever all night, and it has not yet left me. So obstinate is my complaint, that I am trying new remedies almost every day. All hopes of going to New Bern are vanished and poor Josh. Wright is little better than I am. If I can get something better I must take exercise.

You have enclosed Potts's answer to my application. I have requested Mr. Hooper to persuade him to a search, but am fearful that it will not avail.

I am Dear Sir,
Truly yours,
A. MACLAINE.

Mr. Evans does not set off till to-morrow, if I find myself better I will endeavour to sketch off a bill for the academy; but I fear it will be too late.

## HON. CHAS. THOMSON TO HIS EXCELLENCY THE GOVERNOR OF NORTH CAROLINA.

[From Executive Letter Book.]

OFFICE OF SECRETARY OF CONGRESS.
November 28th, 1787.

SIR:

I have the honor to transmit to your Excellency herewith enclosed two setts of the Journals of Congress for last year, and two Copies of the continuation from the 20th of Sept. to the first Monday of the present month, to compleat those I have alread sent.

I am sorry to inform you that a sufficient number of States have not yet assembled to proceed to business, and that your State is one of those unrepresented.

I am sensible the attention of the public is principally turned to the new Constitution proposed by the late Convention, but when your Excellency considers the situation of affairs, both abroad and at home, that the flames of war seem to be kindling in Europe and may reach our borders; that our peace with the Southern and Western Indians is in a very precarious situation, and our frontier settlements in imminent danger; and when you are further informed that a public minister is daily expected to arrive here from France, I humbly hope your Excellency will agree with me, in opinion, that the honor and interest of the Confederacy require a speedy and constant representation in Congress and that you will use your endeavours to forward Delegates from your State as Speedily as possible.

With great respect I have the honor to be

Your Excellency's most obedient & most humble Servt.,

CHAS. THOMSON.

## BY HIS EXCELLENCY SAM. JOHNSTON, ESQUIRE, GOVERNOR, &c., OF THE SAID STATE.

STATE OF NORTH CAROLINA.

PROCLAMATION.

Whereas the General Assembly of the said State now sitting impressed with the deepest concern for the Miseries and distresses of the Citizens of the said State on the Western Waters from Motives

of Humanity and Benevolence are desirous of putting an end to the shedding of Human Blood and to the horrid Murders & Massacres, which have and still continue to be committed between some persons on the Western Frontiers of this State and the Neighbouring Tribes of Indians, have appointed a Commissioner to treat in conjunction with the other Commissioners appointed under the Authority of Congress with the said Indians in order to settle and compromise all disputes and controversies that may have arisen between the Citizens of the United States and any of the said Tribes of Indians and to establish a firm and lasting peace between the United States and the said Indian Nations.

I do therefore hereby require and command all the Citizens of the said State as they will answer at their peril to cause and abstain from all Hostilities & Offensive Operations against the Creeks & Cherokees & Chickamawga Nation of Indians until the result of the Negotiations of the said Commissioners shall be known and the Order of the Executive of the said State shall be signified.

Given under my hand and the Great Seal of the said State at Fayetteville this 29th day of November in the XIII year of the Independence of the said State and in the year of our Lord, 1788.

SAM. JOHNSTON.

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## GOV. SAMUEL JOHNSTON TO McGILVERAY, CHIEF OF CREEK NATION.

[From Executive Letter Book.]

STATE OF NORTH CAROLINA,
FAYETTEVILLE, 29th Nov., 1788

SIR:

The General Assembly of this State having appointed a Commissioner to negotiate in Conjunction with the Commissioners of South Carolina & Georgia a Treaty with all the Indian Nations on the Frontiers in the Neighborhood of this State particularly the Cherokees and Chickamawgas and as it is under stood that your Nation are in alliance, and Amity with those people I am desired to inform you of the measures at the same time to assure you that the people of this State hold in the utmost abhorrence the conduct of

those men who under the sanction of a Flag were guilty of so atrocious a violation of the Laws of Nations.

I am desired to inform you that this State averse to the shedding of Human Blood are desirous of living in peace & amity with all their neighbours, they would wish in particular to cultivate a good understanding with the Creek Nation and their Allies and will at all times be ready to treat with them on any subject that relates to their mutual advantage & tranquility.

It will afford me a very sensible pleasure to contribute to the utmost of my power to these desirable Ends.

I shall expect your answer stating your Sentiments on this Subject with all that Candor and Ingenuity with which your Character is marked. Permit me to recommend the bearer to your protection.

I have the honor to be, &c.,

SAM. JOHNSTON.

P. S. I have seen your Letter to Messrs. Bledsoe & Robertson, the latter is now with me and professes the firmest confidence in your friendship & Candour.

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GOV. SAM. JOHNSTON TO MR. DRUMGOOLE.

[From Executive Letter Book.]

You are to proceed to the Cherokee Nation and deliver the Talk and explain to them whatever may appear doubtful and do every thing in your power to confirm in them a confidence in the people of this State. You will then proceed with the Letter to McGilveray the Chief of the Creek Nation and receive his answer which you will be careful to transmit in a reasonable time to Gen. Chas. McDowall at the Quaker Meadows, assure Mr. Gilveray of the high Estimation I hold his Candor & Abilities and of the pleasure I shall take in corresponding with him.

Given under my hand & the Seal at Arms at Fayetteville this second day of Dec. A. D. 1788.

SAM. JOHNSTON.

## RICHARD WINN TO GOV. JOHNSTON.

[From Executive Letter Book.]

WINNSBOROUGH, Dec. 13th, 1788.

SIR:

Since I had the honor of addressing your Excellency last on Indian Affairs I have received Talks from the Cherokees a Copy of which I beg leave to lay before you, by this you will see the disposition of that Nation is to come to a friendly Treaty. A Non-compliance with the resolves of Congress by your State now, will undoubtedly be construed by the Indians, that we are only deceiving and lulling them into security that they may be the more easily destroyed; in this belief should such neglect continue and no Supplies nor Commissions be sent forward, there is great probability that the Southern Tribes may yet unite (as I have a right to believe, 'tis what McGilveray is trying to do) and involve the Union into an unnecessary and bloody War which a Well timed peace might prevent. I trust these things to your Excellency's serious consideration, and wish you to fix on the time and place with me for finishing so good a work. The Creeks are requested to meet in May or June next. Should a Treaty take place with both Nations at the same time, it would be attended with less expence than to treat separately. Could you not immediately fall on a mode of Supplies, by sending a Commissioner, we could determine that matter to you with as little inconvenience to your State as the Nature of the Case will admit of.

As I have assured the Indians that all Hostilities would cease, I must request your Excellency to issue a Proclamation for a Suspension of Arms to take place immediately.

I have the Honor, &c., &c.,

RICH. WINN.

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STATE OF NORTH CAROLINA,

IN GENERAL ASSEMBLY, 21st Dec., 1788.

Resolved unanimously, That the Citizens of this State and the United States have a full & indisputable Claim to the Navigation of the River Mississippi as well by the clear & express stipulations of Treaties as by the Great Law of Nature.

Resolved, That the Delegates of this State be instructed to move in Congress for a full & explicit declaration that the right the United States and each of them to the Navigation of the Mississippi is absolutely & unalienable; in order that the apprehensions and fears of our fellow Citizens on that Subject be entirely removed.

The above is a true copy from the printed Journals of the House of Commons Concurred with by the Senate.

## HON. JOHN HUNT TO GOVERNOR JOHNSTON.

[From Executive Letter Book.]

TARBOROUGH, 24th December, 1788.

SIR:

Inclosed you will be pleased to receive the dispatches from the board of Treasury of the United States, which you laid before the General Assembly; you will also receive two resolutions of the General Assembly, the one appointing Egbert Haywood, James Porterfield, and Ethelred Phillips, Commissioners for purchasing Tobacco, the other relative to Mr. Richard Blackledge's furnishing the Governor with a receipt for Constable Rucker & Co., for a Certain quantity of Tobacco within Ninety days from the date of the Resolution.

As it appears to be the intention of the General Assembly that the whole of Mr. Blackledge's conduct, together with the report of the Committee relative to this subject should be published in the Gazette, on failure of Mr. Blackledge in Complying with the Resolution, the whole of the papers respecting the same, I have lodged with the Treasurer. My reason for so doing was this, It appeared to me from the Tenor of the Resolution that it was intended, the Treasurer should carry into effect the intentions of the General Assembly, which he would not be able to comply with in any instance, without your direction. Should Mr. Blackledge therefore fail complying with the expectations of the General Assembly, Your Excellency will be pleased to call on the Treasurer to direct a publication of this transaction.

The late Governor laid before the General Assembly, a number of orders from the Commissioners of the Board of Treasury, on the United States, on William Skinner, Esquire, Commissioner of the Continental Loan Office in this State, on which warrants have been

granted on the Treasury of this State, by which means they have been taken up—these orders appear to me to be of Consequence to this State and the General Assembly having failed to give me any directions with respect to the disposition to be made of them, I must request your Excellency's directions thereon.

I have the honor to be your Excellency's

Most Obedt. & Hbl. Servt.,

J. HUNT.

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## GOV. SAM. JOHNSTON TO ABISHAI THOMAS.

[From Executive Letter Book.]

EDENTON, 28th of Dec., 1788.

SIR:

I have laid your Letter of the 15th Instant before the Council of State for their Consideration, they are of opinion that the Sum of £100 will probably be sufficient for your immediate expences in collecting the materials necessary for the purposes of establishing the Claims of this State against the United States, I have accordingly drawn two warrants in your favour of £50 each which agreeably to your desire I have delivered open to Mr. McKeral your Express.

I very much approve of the Zeal which you express for the service in which you are engaged, & flatter myself that your Exertions will be such as will reffect Honour on your Industry and Abilities and at the same time be attended with essential advantages to the State.

If the Sum voted by the Council should not be sufficient to bear your Expences till you have effected this service, on laying the account of your Expenditures before them, & shewing that a further grant is necessary, I have no doubt but that they will make such further allowance as may appear reasonable.

It will be soon enough to expedite your Commission when you are called into active service, the Resolves of the Assembly Answer every purpose while you continue in the State. I would recommend to you to write to Dr. Williamson, and send him Copies of the Resolves of the Assembly which I herewith return to you.

I should suppose that it would be sufficient for you to obtain a printed collection of the Acts of the Assembly, and of the proceed-

ings of the different Conventions or Provincial or State Congress since the Resolution, and that the proceedings of the other Boards may be found either in the Secretary of State's or the Comptroller's offices. I cannot at present recollect any source from which you can draw information other than those you have mentioned unless you can find anything to your purpose among the proceedings of the Board of Trade.

I am, &c.,
SAM. JOHNSTON.

## FRANCIS CHILD TO GOV. JOHNSTON.

[From Executive Letter Book.]

SIR:

Since I had the honor of addressing the General Assembly, the Commissioner from Congress has been employed in examining the accounts & vouchers as I have listed them, agreeable to the several reports of the sundry Boards of Auditors, and others who have passed the Accounts and issued Certificates for the Amount. On this examination he starts sundry exceptions and difficulties before he thinks himself at liberty to sign such an asknowledgment as I laid before your Excellency and Council at the Convention held in July last at this place, which form of acknowledgment the Council then approved of. You will perceive Sir, that the Commissioner has found "that there is great variety and dissimilitude both in the tenor of the "vouchers and the objects of expence, that the Sums paid by the "State were in many Instances not ascertainable from the accounts "and vouchers and in others only after a tedious computation, and the "result not unfrequently disagreeing with the sums therein stated." I would wish to remark to your Excellency that it is not to be wondered at, that there was so great a variety of dissimilitude both in the Tenor of the vouchers & objects of the Expence, when it is recollected that there was no particular form for officers to give receipts for what they received (or if there was it is much to be lamented that very few knew it) and as to the objects of Expence they certainly did accrue from the necessity of some of the several Departments for which the Articles were received and expended.

"That the Sums paid by the State were in many instances not

"ascertainable from the accounts and vouchers, and in others only "after a tedious computation and the result not unfrequently dis- "agreeing with the sums stated." As the Auditors (especially one of the Boards of Salisbury District) received numbers of claims without any particular List of what they amounted to, and frequently for a Claim gave Certificates in Specie & Currency in part for one & the same, 'twas impossible for me to make a distinction, to know what they allowed for one part of the Claim particularly in Specie or Currency; but as we could not make a Calculation so as to know the real amount we have left it blank, for the Commissioners of Boards of three, with the Agent from the State to fill up on equitable principles as near as may be for what sum they may think equal to the voucher for delivery. I presume that this cannot be of much consequence as the cases are not so very many.

Inclosed you will be pleased to receive the exceptions before mentioned with a Copy of the acknowledgment (which I laid before the Governor & Council and they approved of and which the Commissioner is willing to give) and as the exceptions I presume are not of very great consequence I shall be glad to have the direction of your Excellency, whether I shall take the acknowledgments with the Commissioners exceptions or not.

I also enclose your Excellency a Copy of a Letter received from the Treasurer of Continental Loans in this State together with a Copy of a receipt he sent me for the Continental Dollars lodged by me with him. This I have sent in order that you may give such directions thereon as you may think proper.

I am likewise to acquaint your Excellency that the Commissioner finds that it will not be in his power to add up the whole amount of the several accounts he himself has registered whilst he stays in this State, of course, he cannot give me a receipt or acknowledgment, specifying the sum they amount to, therefore he proposes that all the Accounts and Vouchers be put in Chest with two locks to each Chest the keys of which are to be kept, one in the possession of himself, and the other in the possession of the Agent, till such time as they arrive at New York, but this I dont take the liberty of agreeing to till I have you Excellency's Orders for so doing, tho' I think there is no other or better way, for if, Mr. Winder does not take them with him Congress may determine and say they were not Exhibited

in the time limited. On this subject I most earnestly request to have your particular direction.

As there are a considerable number of accounts that Mr. Winder has not acted on, and which he is to pass, finally, and as he cannot compleat them here, he proposes taking them to Virginia and finishing that part of the Business at Richmond, in this case if it should meet with the approbation of your Excellency I think it would be best for Col. Thomas the Agent to go on with him and then the Papers may all go together.

I am, &c., &c.,

FRANCIS CHILD.

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### GOV. SAM. JOHNSTON TO FRANCIS CHILD.

[From Executive Letter Book.]

EDENTON, 28th Dec., 1788.

SIR:

I received your Letter, without date, by Express, which I have laid before the Council of State for their Consideration.

I have their sanction to inform you that the Receipt proposed to be given by the Commissioner will sufficiently answer the purposes of the State, and as the amount of Claims cannot be added up in time, the method which you propose of having two locks to the Chest in which the Vouchers are packed, and that the key of one lock should be kept by the Commissioner and the other by the Agent, is very proper, but I can by no means agree that any Accounts or Vouchers should be taken out of your Office until they are first duly Registered and you have obtained a proper Receipt for them. It is not to be presumed that the United States will be capable of an Act of such flagrant injustice as to deny a further time for stating and establishing the accounts of any State, when such State has used every reasonable exertion in her power to conclude that business within the time prescribed by Congress. I have sent the Warrants which you requested by Mr. McKerel.

I am, &c.,

SAM. JOHNSTON.

## GOV. JOHNSTON TO THE HEAD MEN AND WARRIORS OF THE CHEROKEE NATION.

[From Executive Letter Book.]

BROTHERS:

The General Assembly composed of the Chiefs and principal Officers of the State of North Carolina have heard of the unhappy disputes and controversies which have arisen between some of our people on the Western Waters and your Nation & having no desire to molest or disturb you in the quiet possession of your Lands or to carry on a War which must tend to distress you & be productive of much Bloodshed attended with a great variety of horrid circumstances, which are ever the Consequences of a War between such near neighbors but on the contrary would wish to live with you in peace & friendship and being convinced that this War was brought about by the Bad Actions of some wicked men contrary to the Will and interest as well of your Nation as of this State. Have appointed one of our beloved men in conjunction with the Commissioners from Congress and the States of South Carolina & Georgia to hold a Talk with you on the Upper War Ford on French Broad River as soon as you signify your concurrence to treat and the time can be fixed upon so as to make it Convenient for all parties, there to settle and accommodate in a friendly manner all differences & disputes between you and us and to establish a fair & lasting Peace to continue forever.

In consequence of this I have ordered all of our people to stay at Home and not come into your Country to carry on war or kill or molest any of your people, and I expect that you will also call in all your Warriors and prevent them from coming upon our Land and from killing or hurting any of the White people and that we may rest in peace till the Grand Talk is held between our Commissioners & the Head Men & Warriors of your Nation. Your & our good friend Alexander Dromgoole, will bring this Talk to you from

Your Friend & Brother,

SAM. JOHNSTON.

## ETHELRED PHILLIPS TO GOV. JOHNSTON.

[From Executive Letter Book.]

TARBOROUGH, Jan. 3rd, 1789.

SIR:

I have nearly compleated my purchase of Tobacco for the Publick

at Tarborough warehouse and expect to send you a Manifest of the same in a short time, tho' cannot at this time on account of some few Hogsheads that I have engaged for, not being delivered yet, owing to the bad weather we have lately had. The whole of the new Crop has been at 45s. About forty Hogsheads have been carried to Washington and Stored, and I wish to know if I must have it all carried to Washington and stored as soon as it can be conveniently done, or let it continue in the warehouse at Tarborough until further Orders.

I am, &c.,

ETHELDRED PHILLIPS.

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### JOHN HAWKS TO GOV. JOHNSTON.

[From Executive Letter Book.]

NEW BERN, 4th Jan. 1789.

SIR:

I am informed at the Assembly held at Tarborough I was appointed a Judge of the Court Mercantile and Maritime, for the District of Newbern, to which appointment I never applied for a Commission, never thinking myself qualified for the undertaking. Mr. Ellis, who intends making application to your Excellency for a Commission to hold that Office, thinks it necessary I should forward a resignation, which occasions the trouble I now give you. Your Excellency will be pleased to accept this as such.

I am, &c.,

JOHN HAWKS.

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### JAMES PORTERFIELD TO GOV. JOHNSTON.

[From Executive Letter Book.]

WILMINGTON, Jan. 10th, 1789.

Several applications have been made lately to me for the Publick Tobacco in small quantities, that is by 20, 30 & 40 Hhds. at a time, for which the cash will be paid down on receiving the Tobacco at 26s 8d provided they can examine and reweigh them; one Gentleman will take two Hhds. on those terms in the course of two months, and the money paid either here or in New York. It is the

highest price that can be had here by the single Hhd. and I believe the highest that can be had at any warehouse on the Continent. We are credibly informed that 3 Dollars is the Petersburg price. I must confess a desire to have the Tobacco disposed of in Order to put a stop to the Charge of Warehouse rent and to have an opportunity of settling my account with the Comptroller before the meeting of the next Assembly.

I am, &c.,

JAS. PORTERFIELD.

## JOHN HAWKS TO GOV. JOHNSTON.

[From Executive Letter Book.]

HILLSBOROUGH, Jan. 13th, 1789.

SIR:

Your favour of the 28th Ulto. I received, since which the Commissioner from Congress left this place taking with him the accounts and Vouchers which he and myself had Registered agreeable to the mode I mentioned formerly to your Excellency, and for which he has receipted.

I observe in your Letter that "you can by no means agree that any Accounts and Vouchers should be taken out of my office, until they are first duly Registered, and I have a proper receipt for them," in consequence of which I shall still continue the Clerks I have, in Registering the Federal Accounts & vouchers that Mr. Winder had not time to take cognizance of, as well as those against the Union for supplies furnished the Army of the United States as for the Supplies furnished the Militia, keeping a distinct account of each as has been done heretofore, until Col. Thomas, the Agent, shall leave the State in order to proceed to New York, as this is absolutely necessary to be done as soon as possible. I hope it will meet your Excellency's approbation.

As the accounts that are still to be entered are very numerous and will take much time to be Registered, and a possibility exists that Congress will not lessen the time for exhibiting Accounts, I shall be glad to know whether I may or may not deliver the Accounts to the Agent, that may not be registered at the time he sets off taking his receipt for the same without expressing the amount. I presume this

will be necessary and all that can be done provided Congress does not extend the time heretofore limited.

I shall be glad to be honored with your Sentiments on the foregoing by the first opportunity, and Am, &c.,

FRANCIS CHILD.

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GEORGE HOOPER TO GOV. JOHNSTON.

[From Executive Letter Book.]

WILMINGTON, Jan. 14th, 1789.

SIR:

Understanding that your Excellency and the Council are impowered by the Legislature to dispose of the Tobacco purchased for the State, I beg the permission to request the favor of you to inform me, whether it is determined what the lowest price for it will be, and what the mode of payment.

My reason for troubling you with this enquiry is that I am Commissioned by a House of unquestionable fidelity in London to purchase a considerable quantity of tobacco with bills at sixty and ninety days sight, & having a vessel just arrived which is to take a Cargo for that Port, it would be particularly convenient for me to execute it at this time. I am aware, Sir, that in case of our coming to an agreement respecting the two essential particulars of price and Mode of payment, still that there will be another condition indispensably necessary to be complied with on my part, vizt., the giving satisfactory security. This I hope to be able to do and it will be requisite that I should be informed after what manner it is to be done.

Requesting your Excellency will do me the Honor to reply to the foregoing with all convenient dispatch, I beg leave to subscribe myself,

Sir, Yours, &c.,

GEORGE T. HOOPER.

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GOV. JOHNSTON TO THE COMMIS. BOARD OF TREASURY.

[From Executive Letter Book.]

EDENTON, 15th Jan'y, 1789.

GENTLEMEN:

I laid your Letter requesting that so much Tobacco should be de-

livered to Mr. Skinner, the Treasurer of Loans in this State, as was Sufficient to discharge the Salary due him from the United States, before the General Assembly, who resolved that I should inform you that the said Tobacco was collected for and appropriated to the sole purpose of discharging this State's Quota of the Interest due on the Foreign Debt of the United States and that it is improper to alter this appropriation, but that if you will agree to credit the State of North Carolina, for the amount of Mr. Skinner's Salary, in the Continental Account against this State, for the Interest aforesaid on the same being paid to Mr. Skinner, that then the Executive will let him have the Tobacco.

I shall wait for Mr. Constable's proposals for the purchase of the Tobacco, agreeably to your request.

I have the honor, etc.,

SAM. JOHNSTON.

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## GOV. JOHNSTON TO HUGH WILLIAMSON.

[From Executive Letter Book.]

New York, 19th Jan'y, 1789.

Dear Sir:

Yours of the 20th Ulto. did not come to hand till on the 17th inst. I feel myself flattered by the additional proof our State has given of their confidence in my disposition to serve them. Certainly the Duties of an Agent in settling old and intricate Accounts are not so agreeable to my feelings, as some other Commissions with which I have been honoured by the State, but I conceive that the State is deeply interested in the faithful discharge of those Duties, and in cases where the publick may be profited by any services of mine I shall never shun an Office merely because it is laborious. I shall therefore accept of the appointment and in discharge of the same shall endeavour to deserve the approbation of the State. The General Commissioners of Congress are just arrived in Town, and are, as I think, to enter on the Duties of their Office this Day. I hope that no time will be lost in forwarding the charges and Vouchers of our State.

I have the Honour, &c.,

H. WILLIAMSON.

## GOV. JOHNSTON TO RICH. WINN, SUPT. OF INDIAN AFFAIRS SO. DEPARTMENT.

[From Executive Letter Book.]

EDENTON, 27th January, 1789.

SIR:

I am just now favoured with your Letter of the 13th of December enclosing the Talks of the Cherokee Indians for which you will be pleased to accept my thanks.

As my dispatches to you from Fayetteville must have reached you before this, you will be fully informed of the disposition of this State respecting Indian affairs, since that time I have received no authentic intelligence from the Western Frontiers of this State respecting the Indians. When ever any such intelligence shall be communicated to me I will be careful to inform you of it.

I am, &c.,

SAM. JOHNSTON.

## GOV. JOHNSTON TO GEORGE HOOPER.

[From Executive Letter Book.]

EDENTON, Jan'y 27th, 1789.

SIR:

Your Letter of the 14th came to my hand only yesterday evening. I have not yet received a return of the Quantity of Tobacco purchased for the State at Fayetteville; as soon as I can procure that Return and obtain information of the current price of Tobacco at the different Ports, I will take the advice of the Council of State with respect to fixing a price on it. I should prefer a credit with the Board of Treasury at New York to any other security. If you will mention the highest price you mean to give and the Nature of the security you propose to offer, for the punctual acceptance and payment of the Bills, I will be careful to lay your proposals before the Council as soon as they can be convened and shall be very happy if they are such as may meet their approbation and concurrence.

I am, &c.,

SAM. JOHNSTON.

GOV. JOHNSTON TO ETHELRED PHILLIPS, ESQR., TARBOROUGH, AND EGBERT HAYWOOD, ESQR., HALIFAX.

[From Executive Letter Book.]

EDENTON, 27 Jan, 1789.

SIR:

You will be pleased to inform me whether you have compleated your purchase of Tobacco on account of the State for the present Season and if you have to make a return of such purchase as soon as possible that I may consult the Council about the Disposal of it.

I am, &c.,

SAM. JOHNSTON.

GOV. JOHNSTON TO JAMES PORTERFIELD.

[From Executive Letter Book.]

EDENTON, 27th Jan., 1789.

SIR:

I am favoured with yours of the 10th and wish you had at the same time enclosed an Account of the quantity of Tobacco which you have purchased and whether you have compleated the purchase intended to be made this season; as soon as I receive your return I will lay your proposal before the Council and inform you in what manner they approve of it.

I am, &c., &c.,

SAM. JOHNSTON.

JUDGE J. F. GRIMKE TO GENERAL HARRINGTON.

[From Executive Letter Book.]

CHARLESTON, Jan'y 16, 1789.

DR. GENERAL:

I received your Letter dated the 28th Novr. last, only a few days ago, & am sorry to find confirmed the disagreeable News relative to your not calling a Convention before November next, a long & distant period before you can even begin to give Us (the Southern States) your Interest in Congress; before which I make no doubt the

Middle States will have laid the ground-work of a strong opposition to these States, for they will be found more similar in Interests than the Eastern States to Us & therefore there will arise more competition & consequently more Jealousy, but however it is better that you join us late, than never & that you become united to our Interests rather than opposed to them.

I wish you most sincerely much Success in your endeavours to obtain a Seat in your next Convention, when I make no doubt your State will almost Unanimously acquiesce in the acceptance of our Glorious Constitution, as I hear that even Wiley Jones has Apostatized from Anti-federalism, another St. Paul's Conversion, if it is really so, tho' I confess I have as little faith as St. Peter had.

I did not arrive in town till about 3 weeks ago, by which time the Delaware was closed with Ice & no vessel sailed from hence for that Port, otherwise I should have written to my Correspondent in Philadelphia about the price of Cotton, but I write in a day or two via New York, which is the only avenue now open to us to that City.

Be assured that I have not forgot that Charge & that I shall write to my worthy Friend as soon as I shall receive an answer thereto.

Pray inform my Friend Mr. Pegues that I have the Federalist for him, but the bearer thinks it too burdensome for him; neither have I forgot the bottle of bitters, which however I am glad to hear, he has got well without.

Our Representatives to Congress are 96 for Doctor Tucker.

I am, Sir, with much Esteem,

Your Obedient humble Servant,

J. F. GRIMKE.

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## JOSEPH MARTIN TO GOVERNOR JOHNSTON.

[From Executive Letter Book.]

Long Island, 5 Feb'y, 1789.

Sir:

I have just returned from Georgia where I had much trouble in bringing about a suspension of a Hostilities between the Citizens of this State and the Cherokee Indians until the meeting of the Commissioners by Order of Congress. Genl. Pickens has given me all the aid in his power. The Superintendent and Genl. Matthews, Com-

missioner from Georgia, also interposed and sent for some of their Chiefs to meet them at Hopewell in Kewee, who met accordingly. The Superintendent proceeded to enquire into the causes of this War. The Indians told them that the people of North Carolina were in fault by killing their beloved men. I then drew up a statement of the Murders & Robberies committed by them before any of their people were killed to-wit: the murder & Capture of William English and his family in Dec. 1787; the murder of Kirk's Family, the Repeated Murders & Robberies on Cumberland River, all which they agreed to. The Superintendent with the Commissioners from South Carolina and Georgia then told the Indians that they, in behalf of those States, would put a final stop to all hostilities until the great meeting; that they had written to the General Assembly of North Carolina to send a Commissioner to join them; until then they would say nothing in behalf of that State; that I was present, an Agent from that State; that they must attend to what I would say to them on that subject.

I then told the Indians that the wish of North Carolina was to live in peace & friendship with them; that in behalf of that State I would undertake to assure them in a most solemn manner that all Hostilities would cease on the part of North Carolina until the Treaty, if they would on their part keep their warriors from doing any further mischief, and immediately give up the prisoners in their possession; but at the same time informed them that there were a set of men under the influence of Col. Sevier, who had been the author of the War; that if that set of men did them any mischief that the State was not to be Blamed. At the end of the Conference the Indians seemed well pleased and gave orders immediately for all their young men and Warriors to prepare for their Winter's hunt; that war was not to be heard of any more in their Land.

Shortly after Col. Sevier with a party of men went into one of their Towns, the men all but one were out hunting, and brought off 29 of their women & children with them, with one of their Traders who had a license for that purpose & plundered the Town. This threw everything again into confusion and had not Genl. Pickens exerted himself as well as some others, I believe a General War would have been the Consequence shortly after we settled. Another attack was made on one of their principal Camps near Swannanoe, two of their men killed & their Camp plundered, &c. On my arrival here

I found that a party of men from this quarter were actually out in the Indian hunting grounds in order to kill and plunder. They have since returned without doing any damage, saying the Indians had all left their hunting Ground; that had they been ten days sooner they could have made a great hand of it. Thus, Sir, while the State is laboring to keep good Order, a set of men are doing everything in their power to prevent it. A party of men have lately met on French Broad and called themselves a Convention of the people and have passed several Resolves, one of which is to raise a number of men by subscription and to be commanded by Col. Sevier, saying that North Carolina refused to aid the people over the Mountains & in consequence of the Assemblies not making any allowance to the people that went against Chickamawga. I was in doubt for some time that a General Revolt would take place. Any Commands your Excellency may honor me with will find me at the long Island of Holstein.

I have, &c., &c.,

JOSEPH MARTIN.

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JAS. PORTERFIELD TO GOVERNOR JOHNSTON.

[From Executive Letter Book.]

FAYETTEVILLE, Feb'y 12, 1789.

SIR:

I am now to acknowledge the receipt of your favour of the 29th of Jan'y, and herewith hand you a return of my last purchases, which does not quite compleat the purchase for the Season. My appointment as Commissioner was at an end the last of December, therefore I made engagements before that time expired for as much Tobacco as I shall have money to pay for, the notes for which I expect to receive in the months of April and May. In the hurry of business at the rising of the last Assembly they neglected to reappoint Commissioners in Consequence of which I am advised to apply to your Excellency for a reappointment. If you think proper to make such, I will prepare myself to give a bond as before; otherwise it may be improper or rather unnecessary for me to apply to the Treasurer for the money appropriated to that purpose.

I am, &c.,

JAS. PORTERFIELD.

### EGBERT HAYWOOD TO GOV. JOHNSTON.

[From Executive Letter Book.]

Sirs

Agreeably to your Order I have Shipped all the Tobacco from this place, One Hundred and Seventy-six Hogsheads at Mr. John Stewart's warehouse and eight Hhds. at Mr. Ryan's.

I am, &c.,

EGBERT HAYWOOD.

### E. HAYWOOD TO GOV. JOHNSTON.

[From Executive Letter Book.]

Feb'y 17th, 1789.

Sir:

I have received your Letter dated the 27th of Jan'y, 1789, and agreeably to your order enclosed, have sent to your Excellency an account of all the Tobacco that I have purchased this season now lying in Halifax Warehouses, and cannot purchase any more for the want of money, tho' it is now selling very cheap.

I am, &c.,

E. HAYWOOD.

### J. STOKES TO GOV. JOHNSTON.

[From Executive Letter Book.]

Martinville, Feb'y 18th, 1789.

Dr. Sir:

Capt. Binge waits on your Excellency for my Commission as Additional Judge of the District of Morgan. I have been told that the Commission has been sent up, but am not certain, and some persons who have Suits hung up in that court have agreed to send for fear of a Disappointment, I have agreed to serve until the next General Assembly can have an Opportunity of making another Appointment.

I am, &c.,

J. STOKES.

### GOV. JOHNSTON TO FRAN. CHILD.

[From Executive Letter Book.]

EDENTON, 19th Feb'y, 1789.

SIR:

I have received your Letter of the 13th of Jan'y and approve of your keeping the Clerks employed in Registering the Accounts and Vouchers against the United States till that business can be brought to a conclusion.

I will lay your Letter before the Council on their first meeting, and will advise with them how far it will be proper to send on these papers with Col. Thomas.

I am, &c.,

SAM. JOHNSTON.

### GOV. JOHNSTON TO DR. WILLIAMSON.

[From Executive Letter Book.]

EDENTON, 19th Feb., 1789.

SIR:

I am very glad that you agree to accept the appointment of the last Assembly to Superintend the passing of our Account with the United States and that you have so proper a sense of the importance of that service and the high confidence which the State entertains of your abilities to serve them on this occasion.

All the Accounts and Vouchers which could be examined and Registered within the time prescribed by Congress, were delivered to Mr. Winder to bring forward; what remains will be brought forward by Col. Thomas as soon as they can be prepared and a proper note taken of them by the Comptroller who is now employed in that business, assisted by four or five Clerks.

Before this reaches you, you will probably no longer have a seat in Congress. I shall notwithstanding hope that you will still consider yourself a Confidential Servant of the State, and that you will occasionally communicate to me every matter of a Public Nature in which you may consider this State to be interested, which may come to your knowledge.

I have, &c.,

SAM. JOHNSTON.

### ROBERT BURTON TO GOV. JOHNSTON.

[From Executive Letter Book.]

GRANVILLE, Jan'y 28th, 1789.

DEAR SIR:

As those men who have fought and bled for us in the late contest cannot be held in too high esteem, and as Chevalier John Paul Jones is among the foremost who derived their appointment from this State, that deserves to be held in remembrance to the latest Ages, I take the liberty of offering to the State as a present thro' you, its Chief Majistrate, the Bust of that great man & good Soldier, to perpetuate his memory. If you do me the Honor to accept it you will please inform me by a line.

I am, &c., &c.,

ROBERT BURTON.

### GOV. JOHNSTON TO COL. BURTON.

[From Executive Letter Book.]

EDENTON, 19th Feb'y, 1789.

SIR:

I have had the pleasure of receiving your Letter of the 28th January respecting the Bust of the Chevalier John Paul Jones. I will readily accept it on the behalf of the State, and will communicate your Letter to the next Assembly that they may make such order as they may think proper respecting it.

I am, &c., &c.,

SAM. JOHNSTON.

### JOHN STEELE TO GOV. JOHNSTON.

[From Executive Letter Book.]

SALISBURY, Feb'y 19th, 1789.

SIR:

I would have done myself the honor of writing to your Excellency sooner, but nothing conclusive has been done by the Commissioners of the Indian Department until very lately.

I met by appointment the Superintendent and Commissioner of

South Carolina at Ninety Six, in that State, on the 2nd Monday of the present month, at which time we arranged all the business that was necessary to be done previous to the Treaty.

For information I refer you to the papers enclosed, by which you will observe that we have agreed upon the time and place recommended by the Legislature of North Carolina.

The Treaty with the Creeks is not finally agreed upon owing in some measure to the poverty of Georgia, and indeed it is a doubt with me whether it will be held next Summer, unless the money can be raised by superscription, or a Loan negotiated from South Carolina.

The South Carolina Commissioner informed us at our last meeting that two Cherokees have lately been killed, and their hunting Camp plundered, but it is not known whether it is done by Citizens of North or South Carolina. He at the same time informed us that some of the people of Washington District have lately carried an Expedition into the Nation, surprised a Town, and brought off a considerable number of prisoners, but shed no blood, both of which have been done since the date of your Proclamation. This ungovernable Spirit of the White people will render it very difficult for the Commissioners to effect a permanent peace. Perhaps it might not be amiss or unnecessary for the Commissioners to be furnished with an order to the Commanding Officer of Washington District, requiring him to deliver those Indian Captives at the time and place appointed for the exchange; if your Excellency thinks so, please to forward it to me by the Bearer.

It will be necessary that I should be furnished with the Resolutions of Congress respecting Indian Affairs previous to the Treaty. If your Excellency has been served with them, I will be glad to have them forwarded also.

It is now time that I should know from whom I am to receive the 3,333½ dollars voted by the General Assembly in their last Session, pursuant to the Resolution of Congress. I suppose the Treasurer has not any Gold or Silver in his possession.

The Legislature have advised me to obtain an extension of the Boundary of this State as far as the dividing Ridge between Little River & Tennessee if possible. Congress, by private instructions, have absolutely forbidden the Commissioners, or any of them, to demand the Cession of a single foot of Land from the Indians. Will your Excellency be kind enough to direct me how to act?

It shall be my care to furnish your Excellency with every information relative to Indian affairs, which may seem worthy your attention.

I have the Honor, &c.,

JNO. STEELE.

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RICH'D DOBBS SPAIGHT TO GOV. JOHNSTON.

[From Executive Letter Book.]

NEW BERN, 20 February, 1789.

SIR:

It was my intention to have sent your Excellency in November last a resignation of my Commission of Lieutenant Colonel Commandant of the Regiment of Artillery, by one of the Members of this County, but being at that time much indisposed, I had not an opportunity of seeing either of them before they set out for the Assembly, & since that time I have been prevented by Sickness.

I have now to request your Excellency to accept of this as my resignation of that appointment. I have not enclosed my Commission as it would only occasion an unnecessary expence of postage, and I know of no other opportunity of writing to you.

I have the Honor, &c.,

RICHARD DOBBS SPAIGHT.

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A. DROMGOOLE TO GOV. JOHNSTON.

[From Executive Letter Book.]

ESTENALLY, CHEROKEE NATION, Feb. 20th, 1789.

SIR:

I have thought proper to mention to you my reception in the Cherokee Nation. I arrived here the 18th of January and was kindly received by those who were at home, but the greatest part of them was out a hunting, tho' after I informed them my business, there were runners sent to the different parts of the Nation to collect the Warriors from all parts, to meet and hear the Talk I brought from North Carolina, and there being a great deal of rain in this Quarter, it occasioned the Waters to be very high, so that they could not be col-

lected until the sixteenth day of February, when they met at a Town called Coosowathee, and after they had heard all the Talk it seemed to give general satisfaction to old and young present, and they agreed to lay down the Hatchet and to rest in peace till the Grand Talk is held agreeably to the Governor of North Carolina's Talk and have no objection against anything but to Treat at French Broad River, and it is the General voice of the Nation to Treat at Seneca, where the former Treaty was held and now have to wait to hear when the Commissioners will appoint the time, as they say they are ready when called for.

I start from this to-morrow for the little Turkeys Town, and shall deliver the Talks there and get the answer to the Letter sent to the Chickamaugas. From thence I shall proceed to Mr. Alexander McGillivrays, and mean to return from thence as quick as possible, when I shall transmit you immediately a Copy of all the Talks. I have enclosed you a Copy of a Talk held at Coosowathee for your perusal. I have also sent a Copy to the State Commissioner, Genl. McDowall, and have the honor to be sir,

Yours, &c.,

ALEX. DROMGOOLE.

P. S.—I have enclosed your Excellency a Letter which Mr. John Sevier was sending through the Nation by a certain Mr. Billew, and as he came from an Enemy's Country, they thought proper to search him and finding several Letters about him, nearly all the same purport, thought proper to stop them, the rest of which I have in my hands, but not having any conveniency to copy them, have sent you the Original.

A. DROMGOOLE.

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A GRAND TALK HELD THE 16TH OF FEBRUARY, 1789, ON THE WATERS OF COOSO RIVER, AT A TOWN CALLED COOSOWATHEE, BEING PRESENT ALL THE CHIEFS OF THE WARRIORS BELONGING TO THE CHEROKEE INDIANS. A TALK FROM HIS EXCELLENCY SAMUEL JOHNSTON, ESQR., GOVERNOR OF NORTH CAROLINA, WAS LAID BEFORE THEM BY MR. ALEX. DROMGOOLE & FULLY EXPLAINED TO THEM, IN ANSWER TO WHICH THEY ADDRESSED THE FOLLOWING TALK:

Friend & Brother:

Mr. Alexander Dromgoole, our Beloved Brother, arrived safe to our Land with your Talks, which gives us great satisfaction to hear

from you. We then sent all through the Nation to collect the Head Men & Warriors to hear your Talks. Your Talk was so good that young and Old rejoiced at it. What you said about War we are sure it is true, and for our parts we can assure you we never wanted War with our Brothers the White People, but were totally driven into it contrary to our own intentions by some bad people on the Western Waters.

But Mr. Dromgoole has fully explained to us your good Intentions towards our Nation, and what he says we faithfully depend on. We have been at a loss for a long time for somebody to come into our Land to do something for us. You tell me you have ordered your people to lay down the Hatchet and you may depend I have done the same.

Now Brother, I hope the Great Spirit above will hear both our Talks, and that he will do justice on both sides; you write your wish to Treat with us, which we have all agreed to do, and as we have all agreed to lay still till the grand Talk is held, I expect you will stop your bad people on the Western Waters from coming into our Towns, or disturbing us any more.

It is surprising to me, that you can't keep them from killing us, and I hope will do everything in your power to keep these bad people from us, and from encroaching on our hunting Grounds by these means. I hope a lasting peace will be concluded. It will give me pleasure to see our children raised in Peace together as we ought to do, if things could be compleated for us with respect to our Lands, we should be very glad to return to our old Town Conecnee.

You mention to us that you wish to treat with us at French Broad River, but our People do not wish to Treat there. Our desire is all to treat at Seneca, where the last Treaty was held between our people and the Commissioners. When everything is ready for a Treaty, you may write to us and let us know. I hope that you will have provisions enough for us so that we may not be hungry. We were informed by the Proclamation of Congress that all the White people would be removed off our Hunting Grounds and we find that they are very slow about it. When they get a little scared we find they run off from their Houses, but as soon as we return they come back again. We set out last fall in Company with our Brothers, the Creeks, in order to lay waste and burn the Houses of all those people settled on our Hunting Grounds, but hearing the good Talks of Congress we did

nothing but take one Station, which we thought would answer in satisfaction for our beloved Brethren killed in that Quarter, and our beloved Warriors took pity to see the white people killed, and desire all our young Warriors to return home and sit down to see if Congress would remove them, which we all expect will be done soon and in consequence of this we have all layed down the Hatchet.

Now this is our beloved Womens' Talk. They say they have heard your good Talks and they hope to live at Home in their Houses in Satisfaction, and they have told their Warriors to be at peace from this time that they may raise their children in happiness.

JAMES CAREY, LINGUIST.

## ETHELDRED PHILLIPS TO GOV. JOHNSTON.

[From Executive Letter Book.]

TARBOROUGH, February 27, 1789.

SIR:

Inclosed is a Manifest of the Tobacco purchased by me at Tarborough for the State since the last Return I made you, One Hundred and Sixteen Hogs'd of which is now stored at Washington with J. G. Blount, Esqr., and the rest I shall have carried down as soon as opportunity permits, tho' there has been such freshets in the river that it has been and still is difficult for boats to pass. The Inspectors at Tarborough have made no distinction between the Qualities in Tobacco until very lately, but took such as they judge to be sound and good as usual, so that all I have purchased has been such as they received before they began to class. Indeed I believe the whole to be very good Tobacco as the Inspectors appeared to be very careful in taking none but such as they thought to be good. I should have made you a return before now, but some few Hhds. that I had engaged for were not ready so soon as I could have wished for owing to the difficulty of the weather. I hope the Tobacco will be found in good order when called for and when you dispose of it I should be glad you would give me particular instructions respecting the delivery of it and also a form of the Receipt you think will be proper for me to take. I will let you know when the whole is at Washington.

I am, &c.,

ETHELDRED PHILLIPS.

## GEORGE HOOPER TO GOV. JOHNSTON.

[From Executive Letter Book.]

WILMINGTON, 27th Feb'y, 1789.

SIR:

I had the Honor to receive your Excellency's answer to my letter to you on the subject of the Publick Tobacco & should have done myself the pleasure to make my acknowledgments for the very polite manner in which you notice my application much sooner if circumstances had not put it out of my power.

The difficulty of Negotiating a piece of Business of the importance of the purchase I proposed at the distance of this place from Edenton; the Exception which upon enquiry I find the Tobacco is liable to in point of Quality for the market I intended to send it to, added to some discouraging accounts of the price of Tobacco in Europe I have lately received altogether determined me to drop the prosecution of my proposal of purchasing the Publick Tobacco.

I must request your Excellency to excuse the trouble I have given you in the business & that you will believe me, &c.

GEORGE HOOPER.

## HUGH WILLIAMSON TO GOV. JOHNSTON.

[From Executive Letter Book.]

NEW YORK, 9th March, 1789.

SIR:

On the fourth Instant according to appointment, sundry members of the new Congress, viz: eight Senators and fourteen of the House of Representatives, met at the public buildings in this City; since that time the Members of the Old Congress have not attempted to form a House; some of them are in the New Congress, the Remainder are Chiefly gone home.

You will observe by the printed Journal that we have not during the Winter been able to form a Congress of seven States; hence it has not been in my power to bring forward the instructions which the last Assembly of our State were pleased to give their Delegates. It is true that Seven States have been represented, Viz.: New Hampshire, Massachusetts, New York, New Jersey, Pennsylvania, Virginia, &

South Carolina, but N. Hampshire, New York and New Jersey never chanced to be present together. The attending Members in General to whom I communicated the Report of our Instructions, were of opinion that the request of the State should be Granted, and if I had been so fortunate as to have had a Colleague, I have no doubt but that we should have obtained full permission for the State to have delivered in the remainder of its Claims. Whatever Inclination I may have had Occasionally to borrow a Holyday, I have it in my power to assure you that from the time I received the Instructions of the State, I have not been absent from the Chamber of Congress a single day at the usual time of meeting, lest the forming of a Congress should chance to be prevented, and the Interest of the State suffer by such absence.

In case the Board of Commissioners should refuse to receive any new Vouchers or Claims that may be offered by the State, I shall think it my duty to Petition the New Congress on that subject, but at present I do not think that we shall have any difficulty in having the whole of our Claims examined.

I formerly took the liberty to mention that the Eastern Members had very large Claims for Bounties in the recruiting service. I have lately examined their accounts, and on some future occasion shall give you the particulars.

You will observe that the Members of the New Congress hitherto arrived, are chiefly from the Eastward, and I presume that a House will be formed and several Officers chosen before the Southern Members arrive. This may be the first of the distorted effects to be expected from the Seat of Congress being far distant from the Center of the Union.

I have the honor, &c.,

HU. WILLIAMSON.

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AT A GENERAL MEETING HELD AT TURKEYS TOWN, OTHERWISE CALLED NEW SENECA, IN THE CHEROKEE NATION, PRESENT THE CHICKAMAUGA CHIEFS.

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[From Executive Letter Book.]

March 10, 1789.

BROTHER:

We, the Warriors, called a meeting at the receipt of your Talk. We gathered together here at our beloved Town and listened with

attention to your Talks which we think well of. We are happy the Great Man above has put it in your mind to look towards us with pity. We are glad you have heard of the distress we are in Owing to the unruly people over the Mountains, and that you are willing to adjust and rectify the disputes between you People and our own. To establish a lasting Peace is our hearts desire. We are willing to meet the Commissioners as you desire. You mention French Broad as a proper place for holding a Treaty, this place we look upon to be too near to those who have injured us. We therefore point out and make choice of Senekaa or Hopewell, on the Keewee, as the most proper place. There are the Benches and Tobacco which your beloved men and ours made use of at the last Treaty, Therefore it is most agreeable to us to meet you there. The Commissioners of the great Congress told us at the Treaty of Hopewell, that we should hear from them in three months again and now when you and us meet we hope the Talks will be straight. We will put a stop to any further effusions of blood on our part. We are now done only we beg you to give us timely notice that we may be in readiness. I expect you will have plenty of provisions, &c., as there will be the principal Warriors of this Nation at the Treaty. You will receive this by our good friend, Alex. Dromgoole. We the subscribers with great respect remain your Brothers.

LITTLE TURKEY,
HANGING MANE,
DRAGGING CANOE.

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## GOV. JOHNSTON TO JOHN STEELE.

[From Executive Letter Book.]

EDENTON, 14th March, 1789.

SIR:

I have this day laid your Letter of the 19th of Feb'y before the Council of State, and agreeably to their advice have enclosed an Order to the Commanding Officer of Washington District to send on all the prisoners within his District to be exchanged at the time & place, mentioned to be agreed upon between the Commissioners and the Indian Chiefs.

I have likewise enclosed to you four warrants on the Treasury, three for one thousand Dollars each, and one for three hundred and

thirty-three and one-third. I do not know that there is any Specie in the Treasury, but the Executive are of opinion that it is the only fund they are at liberty to draw upon on this occasion, and as the Treaty is to be held in this State, it is to be hoped that the paper Currency may answer very useful and effectual purposes.

It is very difficult to give you advice in a matter of duty imposed on you by your instructions from the Legislature. You should certainly have in view as the principal object of your appointment the Establishment of a Peace, upon such terms as may give it respectability and duration; if in negotiating this business you can with the concurrence of the other Commissioners stipulate anything favourable to North Carolina with respect to Boundary, it would be well to comply with the wishes of the General Assembly, in this particular, but by no means to embarrass the negotiation by making Demands which may create heats and protract the Negotiation without a probable prospect of Success. I heartily wish you much honor and success in this important Business and am, &c.,

SAM. JOHNSTON.

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GOV. JOHNSTON TO JOSEPH MARTIN, BRIGADIER-GENERAL IN THE DISTRICT OF WASHINGTON, OR IN HIS ABSENCE TO THE NEXT HIGHEST OFFICER IN COMMAND UNDER HIM:

[From Executive Letter Book.]

SIR:

You are hereby required to collect all the Indian Captives within the District of Washington aforesaid, and send them forward under a sufficient Escort to such place, as the Commissioners for treating with the Indians may direct, so that they may be ready to be exchanged at the time stipulated.

Given under my hand and Seal at Arms at Edenton this 14th day of March, 1789.

SAM. JOHNSTON.

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GOV. JOHNSTON TO GENL. MARTIN.

[From Executive Letter Book.]

EDENTON, 14th March, 1789.

SIR:

I have received your Letter of the 5th of Feb'y and very much approve of your measures in bringing about a cessation of Hostilities

with the Cherokees, and sincerely congratulate you on your success in that undertaking.

Sevier, from the state of his conduct set forth in your Letter, appears to be incorrigible, and I fear we shall have no peace in your quarter till he is proceeded against to the last extremity. It is a pity that any of the ignorant, deluded people should suffer with him, and it would be charitable in any one to admonish them of their danger, by representing to them the true complexion of their conduct, which is in direct opposition to the measures not only of this State, but of all the States in the Union. They can be considered in no other light but that of free Booters and Robbers, and unless they refrain from those horrid, atrocious Acts of Barbarity which have been so frequently repeated in that Quarter, they will be looked upon as the enemies of Mankind in general and treated accordingly.

I most earnestly request you to use every practicable means in your power to restrain these people within due bounds, and at the same time to cultivate by every proper means, a friendly intercourse with the Indians.

I am, &c.,

GOV. JOHNSTON.

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GOV. JOHNSTON TO FRANCIS CHILD.

[From Executive Letter Book.]

EDENTON, 14th March, 1789.

SIR:

I have this day laid your Letter before the Council of State, who approve of your continuing the Clerks employed in your office till all the Accounts and Vouchers are Registered and advised that you deliver to Col. Thomas all the accounts and Vouchers which shall be duly registered at the time he is ready to leave this State to go on his Journey to New York, taking his receipt for whatever you deliver to him. I hope that by this time you have nearly gone thro' all these papers. If you have not that you will expedite the Business with as much dispatch as the nature of it will admit of, that the State may as soon as possible be relieved from so heavy an Expence.

I am, &c.,

SAM. JOHNSTON.

## GOV. JOHNSTON TO ABISHAI THOMAS.

[From Executive Letter Book.]

EDENTON, 14th March, 1789.

SIR:

It having been notified to the Executive that the Commissioners appointed by Congress for finally settling and liquidating the Accounts of the respective States, against the United States are met at New York and ready to proceed on the business, and as it has been thought that no time should be lost in bringing forward the accounts of this State against the United States, it is therefore advisable that you proceed with all convenient speed to New York to take upon you the important trust of superintending the passing the Accounts of this State with the United States.

Before you set out you will receive from the Comptroller all the Accounts and Vouchers which have been duly registered since Mr. Winder left the State, and take them on with you to New York, and use your best endeavors in conjunction with Dr. Williamson, to have them passed to the credit of this State.

Warrants for your half year's Salary shall be ready to deliver to your order when called for.

I am, &c.,

SAM. JOHNSTON.

## HUGH. WILLIAMSON TO GOV. JOHNSTON.

[From Executive Letter Book.]

NEW YORK, 23rd March, 1789.

SIR:

Inclosed is a Letter which you will be so good as to forward to Col. Thomas. I have informed him that as the Board of Commissioners have been sitting some time, and the Publick papers from our State and Virginia are come to hand I shall be glad to see him here, that by seeing what is done and comparing our Charges with those of other States we may determine whether anything remains to be done. Perhaps it may be necessary to make an application to the New Congress on the Subject of remaining Claims, but of this I can form no opinion before Col. Thomas shall arrive. Possibly we may find that

other proofs & Vouchers should be collected in the State; in this case I shall attempt that labour in the Summer. As I have already been longer from home than I expected when I left Edenton, it cannot be doubted that I wish to devote a few days to private concerns. I would not borrow so much as a week from the service of the State, and I have never been charged with truanting.

Hitherto I consider myself in the service of the State as a Member of Congress and shall continue so to do until the New Government is in Operation, hence I claim the right of Franking Letters, but in the meanwhile I attend Diligently to the Board of Commissioners to see if possible whether a thorough acquaintance with the charges of other States cannot be of some use to us in the Statement of our own.

There is a Report in Town that the King of Spain is dead. One of his sons and that son's wife certainly are dead of Small Pox, at least Mr. Gardoqui is in mourning on that account. If the King is dead we shall soon find other measures pursued respecting the Mississippi. On this Subject I have some information that I cannot venture to commit to paper without a Cypher. It is a subject that so deeply concerns our State or many of its Citizens that I never lose sight of it, and hope on some occasion to be able to shew that on this head I have done the State some Service.

I have the Honor, &c.,

HU. WILLIAMSON.

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## ABISHAI THOMAS TO GOV. JOHNSTON.

[From Executive Letter Book.]

HILLSBOROUGH, 23rd March, 1789.

SIR:

I am honored with your Excellency's Letter of the 14th and shall with all possible dispatch proceed to execute the orders therein contained.

The Comptroller has been very Industrious in stating the Accounts of this State against the United States since the departure of Mr. Winder & hath this morning informed me that he will have the whole in readiness by the 20th of next month. I am of opinion it may be accomplished sooner with such assistance as I shall now be able to afford him, and which shall not be wanting on my part. I

suppose it will be more expedient for me to remain until the whole of the accounts are in readiness, than to leave any of them behind, as there may be considerable risque in forwarding them by a Casual conveyance. There will be a small Cart load of those papers which I shall have forwarded to Halifax prior to the rising of the Superior Court at that place, where I am informed your Excellency will be and where I hope to receive your Excellency's Instructions relative to the mode of conveyance to New York.

I presume it will not be necessary to saddle the State with the Expence of an Express to obtain Warrants for my Salary, as I trust the Treasurer when he arrives at this place will advance to the amount on seeing your Excellency's Letter and having my assurance that the Warrants will be delivered to him at Halifax. He is expected here in all this week, and if he cannot with propriety advance, I shall be compelled to send an Express as I cannot move myself or the papers out of the State, until I negotiate some of the paper Money for Specie; Exclusive of my Salary a sum of Money will be necessary to forward the papers, of which I can as yet form no estimate, but trust when I shall see your Excellency, a pretty accurate calculation may be made. In the meantime should it be perfectly convenient to your Excellency to make yourself acquainted with the rates of transportation, by the stages, it will enable us to form our calculation to a degree of precision which will otherwise be impracticable, as I am so far out of the line I have no information on the subject. I trust & hope your Excellency will also think it advisable to grant me a further sum for services & expences prior to going on to New York, as about five Months will elapse from the time of my commencing this business until that period.

I have the honor, &c.,

ABISHAI THOMAS.

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## CHARLES THOMSON TO GOV. JOHNSTON.

[From Executive Letter Book.]

STRAWBERRY HILL, 24th March, 1789.

SIR:

I take the Liberty to request your Excellency to Accept the resignation of my Commission of Captain of the Chowan Troop of

Horse. Being unable to discharge the duty, it would be improper to retain the appointment.

I beg your Excellency to excuse this trouble, which I would not have given you on a matter of so little importance, but that it appeared to me necessary that you should be informed of my resignation, that a Commission may issue to the Officer who succeeds me.

I have the Honor, &c.,

CHARLES THOMSON.

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### GOV. JOHNSTON TO EGBERT HAYWOOD, ESQ.

[From Executive Letter Book.]

EDENTON, 24th March, 1789.

SIR:

It would be proper that you should down the Tobacco which you have purchased for the State to Ryans or Stuarts or some other safe & convenient warehouse near the mouth of the River to be stored till it can be sold, as soon as conveniently may be and advise me of it when done.

I am, &c.,

SAM. JOHNSTON.

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### HUGH WILLIAMSON TO GOV. JOHNSTON.

[From Executive Letter Book.]

NEW YORK, 30th March, 1789.

SIR:

By a Letter from Wilmington I received a Letter dated the 13th Inst. in which is the following paragraph, viz: "The French Consul of this State who you know resides here, informs me that no vessel from North Carolina will in future be admitted to enter any Port in the French West Indies, unless they clear from the Port where he is, to-wit, Wilmington."

Tho' I had no Instructions on this head, I conceived that such a Measure should not be passed over without diligent Attention, since it is probable that more than three fourths of our Vessels bound for the French West Indies pass out by Ocracoke and to oblige those vessels to call at Wilmington would be insufferable.

The present situation of our State is doubtless somewhat singular,

as we are not formally in the Union and have no Claims under Treaty to definitive privileges. In the meantime knowing that the State is considered by Foreigners as growing into much importance, and that they take it for granted that we shall presently confederate, I presumed that the Representations of a Delegate from North Carolina would not be neglected. Accordingly I prepared a Memorial on the Subject of the late Regulation, which I put into the hands of the Minister of France. I also stated at some length to the Consul General of France my objections to that Measure. I shall not trouble you with a transcript of those papers, for I am sure you will do me the justice to believe that as a Publick Servant, I endeavoured not to commit the honor of the State. I must however in general observe that I never had occasion to converse with those Gentlemen on any subject concerning the Commercial Interest of our State, but they seemed desirous to meet our wishes by promoting our Interest with respect to the regulation in question. I have the satisfaction to observe that you need not apprehend being troubled with the Complaints of our Merchants on that Subject. Our Trade will be permitted to move in its usual Channel till a better one can be formed, and I think the time is not very far distant when the Citizens of our State must profit considerably by Commercial Regulations to which the Court of France will probably agree.

With great Respect, &c.,

HU. WILLIAMSON.

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## ALEX. DROMGOOLE TO GOVERNOR JOHNSTON.

[From Executive Letter Book.]

SENEKA, KEEWEE RIVER,
April 4th, 1789.

SIR:

After a long and tedious journey of three Months I got home to this place. I delivered all your Letters delivered by me to the Cherokees and Chickamaugas, and explained everything as fully to them respecting the Intentions of the State of North Carolina as lay in my power. I then went to the Creek Nation to deliver your Letter to Mr. Alexander McGillivray, but he had just been two days gone to Pensacola, and was not to be at home in less than a month or upwards, he knowing my intention of coming there, left word with Mr.

Daniel McGillivray to receive the Letters, and informed me that no answers could be returned in full to my letters till he could collect the Chiefs of the Nation together to consult on matters, and they being out in the Woods hunting he thought they could not be collected till near the first of May, in consequence of which I thought the most proper steps I could take would be to return and make a report of the Talk received from the Lower Cherokees or Chickamaugas. I make no doubt but that you received my letter I wrote you from Estilnally, in which I enclosed your Excellency a Copy of the Talk held at Coseewatee. I left a Letter for Mr. McGillevray in which I informed him I would expect him to return an answer to your letter as soon as possible, enclosed to me at Senekaa, which I make no doubt but that he will; which if he does, I will send as quick as possible to you. I have enclosed you the Talks of the Cherokees and Chickamaugas and they seem inclined to peace by what I can see, which you will see by their Talks to you.

I have also inclosed you an information of Anthony Foremans Respecting Sevier.

I am, &c.,

ALEX. DROMGOOLE.

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## JOHN KINCHEN TO GOVERNOR JOHNSTON.

[From Executive Letter Book.]

HALIFAX, 8th April, 1789.

SIR:

My ill state of health still continuing without the least abatement, I am reduced to the necessity of trying a Change of Climate, in the course of this Spring or early in the Summer, and of course cannot have it in my power to attend to the duties of a Member of the Council. This very unhappy situation makes it absolutely, for the dispatch of Publick business, that I should resign. You will therefore be pleased to consider this as a resignation of my office.

I have the honor, &c.,

JOHN KINCHEN.

## JOHN STEELE TO GOVERNOR JOHNSTON.

[From Executive Letter Book.]

HALIFAX, 9th April, 1789.

SIR:

Your Letter by the return of my Express I had the honor to receive, the contents whereof I have communicated to the Gentlemen with whom I am to co-operate. Mr. Winn, Superintendent and Genl. Pickens, South Carolina Commissioner, have decided that they will join me in no Receipt given for Curency, Until 50 per cent. at least be added to make it equal to Gold and Silver, and unless they join, one other besides myself, the State cannot claim a Credit from the Union. In this Business unless the Executive interpose, I fear in the event it will be discovered that the State has outwitted herself.

The Commissioners have therefore directed me in the most earnest manner, again to urge your Excellency and the Council to a reconsideration of the Subject. We observe to your Excellency that Congress voted ten Thousand dollars for the purpose of giving peace to all the Indians Southward of the Ohio; that of these Tribes the Creeks, Cherokees and Chickamaugas are hostile and the two latter particularly to No. Carolina. The Chickasaws also complain that our Citizens under the Authority of Law have surveyed their Lands without their consent, and that they will never cede unless proper and adequate satisfaction be made. Your Excellency now sees, (though no doubt you knew before) the objects & the funds with which we are entrusted.

It is now necessary that you should have an Idea of the Expence of these Negotiations. We calculate upon 1,000 or 1,500 Indians who will attend the Cherokee Treaty, say nothing of the White people. They must be fed Thirty days; bring this expence only into contrast with this State's Quota and that advanced in Paper Money too, the ballance must appear too contemptible to demand with hopes of Success the Cession of this Country.

In 1783 the Legislature voted £2,500 to be devoted to this purchase which I am now directed to make, as the presumption that this purchase would take place, the Law passed opening the Land Office: The Indians have not received this Sum. I will therefore take the liberty to submit to your Excellency, Whether it would not be proper

to appropriate that sum at this time in order to comply with the Views of the General Assembly with respect to boundary, an affair which might be conducted free from any connection with the Continental Treaty. If this can not be done we must at least insist that the currency be made equal to specie. By either of those Expedients, my embarrassment may be in some measure removed, and the true interest of the State promoted.

Extract from the Estimate of the Cherokee Treaty, to-wit.:

| | | | |
|---|---|---|---|
| 1,200 bus. Indian Corn | £ | 200 | 00 00 |
| 100 head horned Cattle | | 500 | 00 00 |
| 50 Bush Salt | | 20 | 00 00 |
| 600 Gal. Rum | | 240 | 00 00 |
| 40 Soldiers Officered | | 150 | 00 00 |
| Waggons, &c. | | 150 | 00 00 |
| Linguist, &c. | | 73 | 6 8 |
| | £ | 1,333 | 6 8 |

By the foregoing Expence as we have computed Your Excellency will see in what predicament we are placed, and that unless an addition be made the Treaty must stand still, or at least an extension of the boundary will be impracticable. Georgia hath no money, and nearly half of South Carolina's quota is already expended. The Commissioners say some must be reserved for the Creeks. I will conclude this long Letter, which I trust contains nothing improper, by assuring your Excellency that in all our negotiations my views shall invariably be directed to the Interest of North Carolina.

I have the Honor, &c.,

JOHN STEELE.

## GOVERNOR JOHNSTON TO JOHN STEELE.

[From Executive Letter Book.]

EDENTON, 11th April, 1789.

SIR:

I am favoured with your Letter of the 9th which I will lay before the Council of State as soon as they can be convened. This however will be attended with some uncertainty as Mr. Kinchen has resigned, Mr. Iredell is absent on the Circuit, Mr. Hill is so ill that he has never been able to attend, and Genl. Armstrong has never done

me the favour to say whether he means to accept the appointment to a Seat in the Council.

You know that I can only draw with the advice of the Council for such Sums as the Assembly vote. The matter has been already fully considered & debated in the Council. They considered that I was not at liberty to draw for a greater sum than the Assembly had voted, they at the same time were sensible, that the Sum was not equaled to the Sum intended by Congress, but as long as the Assembly hold up the delusive Idea that 8s currency is equal to a dollar, it will not be in the power of the Executive to Speak a Language different from that of the Acts of Assembly which they are to carry into execution & not to amend.

Should the Council on reconsidering this business see cause to change their opinion, I will advise you of it as soon as possible.

I am, &c.,

SAM. JOHNSTON.

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## CHARLES McDOWALL TO GOVERNOR JOHNSTON.

[From Executive Letter Book.]

QUAKER MEADOWS, April 17, 1789.

SIR:

After my best respects to you, I take the liberty of informing your Excellency of the peaceable disposition of the Cherokees, since your Talks were delivered by Mr. Dromgoole; they seem to wish for peace and pay great attention to your Talks, altho' they are much threatened and insulted by a disorderly set of people who have settled on the Frontiers of this and adjacent States. Genl. Pickens agreed with the Chiefs of the Cherokee Nation on an Exchange of the Prisoners in behalf of this State, and fixed on the Water Ford on French Broad river as the place, and the 23rd of March last as the time for that purpose, but some abandoned Villians a few days before murdered two Indians on French Broad, about fifteen miles from the place where the Exchange was to take place. The Indians put off the Exchange until the 10th Instant and fully agreed to have the White prisoners at the War Ford on that day, but we are informed that a certain John Cleveland, of Tugalo, had made a small attack on some of the Indians near their Towns, in consequence of Cleveland's conduct, a skirmish ensued. Cleveland was shot through the

thigh, and a Capt. Hamilton through the shoulder. They instantly retreated. This piece of conduct I expect was the reason the Prisoners were not brought agreeable to appointment. Sevier's party seem obstinate, and say they will not give up the Indian Prisoners unless the Indians will treat and exchange with them, and the Indians seem determined not to treat or exchange with them, as they say they cannot trust themselves amongst such people for they believe they want to deceive them as they did before.

The Indians now say they will bring in the White people at the Treaty. I think it might answer a good purpose if your Excellency would give Mr. Steele pointed instructions to call on those people for the Indian Prisoners, as I have some reason to believe that they will pay attention to your orders or Instructions.

I am informed the Indians have nearly twenty-eight White Prisoners, and I believe the White people have the same number of Indian Prisoners. Sevier has embraced the Act of pardon and renewed his allegiance to the State of North Carolina.

CHARLES McDOWALL.

## S. OSGOOD, W. LIVINGSTON AND A. LEE TO GOVERNOR JOHNSTON.

[From Executive Letter Book.]

BOARD OF TREASURY, 18 April, 1789.

SIR:

We have received a few days since a Letter from Mr. Skinner, Commissioner of the Loan Office in your State, on the Subject of his Salary. In this Letter we are referred to one, from your Excellency, on the subject of the Public Tobacco; which has not come to hand as Mr. Skinner has intimated to us your disposition to make a payment to him on account of his Salary, provided the State can have Credit for the amount so paid. We beg leave to inform your Excellency that, if you can make such arrangements as to pay Mr. Skinner the Sum of three Thousand four hundred Dollars, transmitting to the Treasury his Duplicate Receipts, for the Money paid to him, the State shall have Credit for the Amount in the Books of the Treasury, on Account of the General Requisition. The sum we have mentioned will nearly pay Mr. Skinner's Salary to the 30th of March last, and if it should not be practicable to pay the whole of it, it will

give us pleasure to learn that Mr. Skinner has received as great a proportion of it as Possible.

We have the Honor, &c.,

SAMUEL OSGOOD,
WALTER LIVINGSTON.
ARTHUR LEE.

## GOV. JOHNSTON TO THE COMMISSIONERS OF THE CONTINENTAL TREASURY.

[From Executive Letter Book.]

EDENTON, 26th May, 1789.

GENTLEMEN:

I am favoured with your Letter of the 18th of April last and now enclose you a Copy of mine of the 15th January which it seems by some means had not reached you when you last wrote.

I have heard nothing of Mr. Constable. The State has now on hand near One Thousand Hogsheads of Tobacco of an excellent quality for Sale, the proceeds of which when Sold will be immediately paid into the Treasury of the United States. I should be happy to treat with any purchaser whom you may think proper to recommend on your agreeing to accept his Bills.

I have the Honor, &c.,

SAM. JOHNSTON.

## ETHELRED PHILLIPS TO GOVERNOR JOHNSTON.

[From Executive Letter Book.]

TARBOROUGH, 22nd April, 1789.

SIR:

I can't particularly inform you at present of the Quantity of Tobacco which I purchased for the State, in the last return I made you, that is now stored at Wilmington, as I have not seen the man very lately, that I employed to carry it down the river, but believe there is about two Hundred Hhds. carryed down & stored, & the rest I hope to have carryed down and stored shortly, but if you have an opportunity of making sale of it, don't delay a day on account of the delivery, as I am very confident I can have it ready when called for. I should be very glad if you could inform me when you expect it will

be called for, tho' I hope it will be in your power to give me a few days' notice before hand.

I am, &c.,
ETHELDRED PHILLIPS.

## FRANCIS CHILD TO GOVERNOR JOHNSTON.

[From Executive Letter Book.]

HILLSBOROUGH, April 23rd, 1789.

This will be delivered to your Excellency by Col. Thomas, who leaves this place to-morrow in order to proceed to New York with the Claims of this State against the United States, for which he has receipted to me as per list enclosed, amounting to eleven millions one Thousand eight hundred and seventy-eight pounds 5s in depreciated Money, and two Millions one hundred and seventy-three thousand, six hundred and eighty-eight pounds 17s 1¼d in Specie. These sums with three Millions two hundred & seventy-four thousand, three hundred and Ninety-four pounds 8s 6d depreciated Money, and one hundred and thirty-one thousand two hundred and twenty-five pounds 14s 6d, Specie receipted for by Mr. Winder make the sum of Fourteen Million, two hundred and seventy-six thousand, two hundred and seventy-two pounds 13s 6d depreciated, and two Million, three hundred and four thousand Nine hundred and fourteen pounds 11s 7½d in Specie Money, the Amount of Claims sent by Mr. Winder and Col. Thomas to New York, exclusive of the Specific Articles delivered, for which I have also the Colonel's receipt in which the Quantity is ascertained and the five Million & sixty-six thousand eight hundred and Sixty-one Continental Dollars sent to the Loan Office as per Genl. Skinner's receipt, a Copy of which I have delivered to Col. Thomas.

In mine to your Excellency by the Treasurer I omitted to send Mr. Benton's Account for the Sum of £4.16.0 now enclosed, which I will thank you to issue your Warrants for and deliver likewise to the Treasurer.

I shall be much obliged to you to inform me whether I may or may not keep a Clerk till the business of the Entry taker of the Western Lands and the four Commissioners appointed to examine & punch the Certificates is finished. I would not ask it, if it could be done without.

I am, &c.,
FRANCIS CHILD.

## GOV. JOHNSTON TO GENERAL CHARLES McDOWALL.

[From Executive Letter Book.]

HALIFAX, 26 April, 1789.

SIR:

I am favoured with your Letter of the 17th at this place, and am much obliged to you for the information it contains; it is much to be lamented that those outrages cannot be more effectually restrained, and the offenders brought to punishment. It is an object highly worthy the Attention of the Legislature and it is to be hoped that at their next meeting they will pass some Law for that purpose in order to insure greater security to the peaceable inhabitants of the Frontiers whose Interest I have very much at heart. I have no authentic Intelligence from New York later than the last of March, the new Congress had not then formed for want of a sufficient number of Members to proceed on business. I have since understood from private correspondence that Congress met some time in the beginning of this month and were proceeding to business; that Genl. Washington was unanimously elected President, & Mr. John Adams Vice President of the United States.

You will be pleased to present my best respects to your brother and Cousin, Col. McDowall, and believe me with great respect, &c.,

SAM. JOHNSTON.

## GOVERNOR JOHNSTON TO MR. ALEX. DROMGOOLE.

[From Executive Letter Book.]

HALIFAX, 26th April, 1789.

SIR.

I had the pleasure of receiving your Letter of the 4th of this Month at this place. I am very glad to find you have been able to execute the trust reposed in you by the Assembly and that you are safely returned. I doubt not but your conduct in transacting this business will give entire satisfaction to the State, and will meet their approbation as it does mine. It was unfortunate that Mr. McGillivray was absent, but that is a circumstance that could not be foreseen. You will inform the Chiefs of the Cherokees that I have received their Talks and am much pleased with them. You may at

the same time assure them of the friendly disposition of this Government to their Nation, and that we will do everything in our power to restrain and punish all those who wantonly insult them, or endeavor to interrupt their peace and harmony we are so desirous of cultivating with their Nation.

I am, &c.,

SAM. JOHNSTON.

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GOVERNOR JOHNSTON TO THOS. PERSON, WM. GREEN AND MATTHEW LOCKE, ESQRS.

[From Executive Letter Book.]

HALIFAX, 27th April, 1789.

SIR:

As the accounts of this State with the United States are now about to be laid before the Continental Commissioners at New York, it is proper that the Gentlemen appointed by the General Assembly held at Fayetteville in 1786 to receive and correct the proceedings of the Commissioners appointed to settle the Accounts of the Troops of this State, who served in the Continental Army during the late war, should make their Report as soon as possible that the State may have full credits with the United States for the sums due on that Account.

You will be pleased to inform me what progress has been made in that Business and at what time it is probable your Report will be Compleated.

I am, &c.,

SAM. JOHNSTON.

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WILLIAM GREEN TO GOVERNOR JOHNSTON.

[From Executive Letter Book.]

FRANKLIN, 24th May, 1789.

SIR:

Your favour of the 26th April from Halifax was handed me a few days since, requesting information respecting a review of the Officers & Soldiers' Claims of this State, with the United States. I can only inform your Excellency that the requisition for laying before us the pay rolls mentioned by the Genl. Assembly, either by neglect or Intention, I know not which hath never yet been complied with.

I have always been myself ready when those papers could be had to proceed, to business & should be glad we could proceed as many poor & honest Citizens are sufferers, while the rascally part of our State are benefited by the delay.

I have the honor, &c.,

WM. GREEN.

## HUGH WILLIAMSON TO GOVERNOR JOHNSTON.

[From Executive Letter Book.]

New York, 27th April, 1789.

Dear Sir:

With this you will receive Copies of the Laws of sundry States which have been forwarded according to a recommendation of Congress for the use of the Legislature of our States. I am not informed whether our State has not returned like Copies of its Laws for the information of the Legislatures of other States.

On Thursday next the President of the United States, G. Washington, is to take the Oath and enter upon the Duties of his Office. The new form of Government will then have commenced and my privilege of Franking Letters as a Member of Congress will probably be disputed. I should then apply myself wholly to the Business of the public Accounts, but some weeks must elapse before the Commissioners of the United States can make any progress. One member of that Board has just taken his Seat in Congress as a Representative from Georgia (Mr. Baldwin) and by a Special Vote of Congress any two of the Board are not allowed to Act, unless the third is present. A third Commissioner must, therefore, be appointed by the President and he is not authorized to make such appointment until Congress shall have taken measures for that purpose and as the Revenue System engages all the attention at present some time must necessarily pass before the third Commissioner can be ready to Act. In the meanwhile I propose to visit No. Carolina and to collect some Evidence of which I think we may avail ourselves considerably in the settlement of our Accounts. I am the more convinced of the usefulness of such Evidence from the Rules that the Board of Commissioners have already laid down for their General Government respecting the claims of particular States. However attentive I have been to the Board of Commissioners you observe that I have hitherto con-

sidered myself a Member of Congress by which I might the better avail myself of any opportunity to serve the State by having access to the public Offices, &c.

It is obvious that the Revenue System now before Congress must inevitably press with much weight on the Commerce of No. Carolina. The Duty of One Dollar per Hhds. on time is calculated for the meridian of Rhode Island and that on Spermaceti Candles, Cheese and Malt will have the like Operation. Hitherto No. Carolina has been treated with more respect; they have only talked of duties on Naval Stores & Corn. I will try if possible, to beg the Indulgence of another year.

The Foreign Tonnage Duty of half a Dollar per Ton must nip our trade. Suppose that 500 Vessels clear annually from No. Carolina for other States in the Union, and the number is much greater, these Vessels at 40 Tons must pay Ten Thousand Dollars Tonnage. By such a Tax the value of our produce must be reduced, for we have not the monoply in the meantime. I do not see any means by which this particular Grievance can be escaped or procrastinated. It is a measure that would be of great use to us if we were in the Union by promoting Ship building.

I have the Honor, &c.,

HU. WILLIAMSON.

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## ABISHAI THOMAS TO GOVERNOR JOHNSTON.

[From Executive Letter Book.]

EDENTON, 4th May, 1789.

SIR:

Pursuant to your Excellency's instructions of the 14th March, I have received from the Comptroller all the Accounts and Vouchers for Claims of this State against the United States which were left in his hands by Mr. Winder. This business was completed on the 24th Ulto when I proceeded with the Papers to Halifax; they are contained in two large Chests, weigh 500 lb. and are of the Nature and amount as by the enclosed, together with the Comptroller's report to your Excellency will appear. I am now to solicit your Excellency's instructions relative to the mode of transportation at New York and for a sum of Money to enable me to carry such instructions into effect; if it is determined they shall go by Land the Sum of £150

from the best information I can obtain will not be more than sufficient. I have consulted a Mr. Johnston, Owner of a Stage at Halifax, who would not undertake to carry them over to Philadelphia under £100 Specie. I also consulted Col. Long who appears to be of opinion that they might be transported for less, and I am of opinion he would undertake it, however he did not come to any final determination, so that it remains for your Excellency to determine whether a smaller sum than I have requested will suffice. If it should be determined to transport them by Water I shall attend them, as I also should by Land and as to the risque of this mode your Excellency is better acquainted with it than I can possibly be. The expence will be trifling.

I have received from the Secretary's Office 378 transcripts of Resolves of our late provincial Congress, Councils of Safety, Councils of State, &c., and 25 transcripts of Laws and Ordinances of Congress which I suggested might be necessary to support some of our Claims. These are all properly certified by Col. Glasgow with the great Seal of the State annexed. It only remains therefore for your Excellency to make them authentic by a Certificate that Col. Glasgow is Secretary of State, &c. It was not in my power to obtain a printed collection of those Resolves, Laws, &c., as suggested to me by your Excellency, for even in the Secretary's Office the Collection is not compleated, and I am at this time in want of sundry Laws and proceedings of Councils which I hope however in part to remedy at this place.

I am next to solicit your Excellency to grant me a supply of Money for Account of my Services prior to Setting out to New York, for which I am to account with a future Assembly on the same terms as for the Sum granted me in December last, and when your Excellency reflects that five Months have elapsed since I commenced this Business, that nearly another Month will expire before I can finally clear out, and that my stated Salary cannot commence until that period, I flatter myself I shall not be deemed unreasonable in Soliciting the sum of £150 to be granted for this service in addition to the first Sum.

I have the honor, &c.,

ABISHAI THOMAS.

## WILLIAM LITTLEJOHN TO GOVERNOR JOHNSTON.

[From Executive Letter Book.]

EDENTON, 29th May, 1789.

SIR:

Being desirous of purchasing about one hundred Hogsheads of the Public Tobacco, you will oblige me by letting me know the terms on which it is to be sold. I am informed that the whole price is to be paid in Specie, and the Money must be paid before the Tobacco is delivered. If these are the Terms on the part of the State, I beg leave to submit the conditions on which I am ready to purchase.

1st. I will in the Month of June or July next pay the Price of such Tobacco as I may buy into the Treasury of the United States in Specie, and whenever I shall produce to your Excellency a Receipt for the Money there paid, to be passed to the Credit of this State, I shall expect the delivery of the Tobacco, and not before.

2nd. As some of the Tobacco has been long in the Public Warehouse, and has lost much of its original Weight, I shall expect to have it weighed again.

3rd. I am willing to give Three Dollars per Hundred weight for Tobacco of the first Quality.

4th. If the Tobacco is not to be reweighed, I shall at least expect the liberty of taking Tobacco that was inspected the last Session.

I am, &c.,

WM. LITTLEJOHN.

## GOVERNOR JOHNSTON TO WILLIAM LITTLEJOHN.

[From Executive Letter Book.]

HAYES, 30th May, 1789.

SIR:

I have your Letter of yesterday now before me. You may have an Hundred Hogsheads of Tobacco or more on your obtaining a Credit in favour of this State with the United States. If the Tobacco is taken at the Weights mentioned in the Inspector's Notes, you may have it at Three Dollars. If reweighed at Three Dollars and one-third of a Dollar. I believe the Tobacco is of the first Quality.

I am, &c.,

SAM. JOHNSTON.

## S. OSGOOD, W. LIVINGSTON AND A. LEE TO GOVERNOR JOHNSTON.

[From Executive Letter Book.]

BOARD OF TREASURY, July 3rd, 1789.

SIR:

In consequence of your Excellency's letter of the 20th of May last in which you inform us that the State of North Carolina has on hand near one Thousand Hogsheads of Tobacco of an Excellent Quality for Sale, the proceeds of which when sold, would be immediately paid into the Treasury of the United States; and that you should be happy to treat with any purchaser whom we might recommend for such purpose on our agreeing to accept his Bills;

We beg leave to recommend to you for this purpose Mr. Royal Flint, of this City. Should that Gentleman or his proper Attorney agree with you for the purchase, and accept Bills drawn by yourself or other person duly authorized, and in favour of the State of North Carolina, payable at the Treasury of the United States, for the amount of the Tobacco so purchased, we hereby agree that on such Bills being duly transmitted to this Office, the amount thereof shall be passed to the Credit of the State of North Carolina at the Treasury of the United States. For the greater certainty in the transmitting these Bills, it may be well that they should be drawn in triplicates of same Tenor and date, and that the first and second should be forwarded to this Office, & the third remain in the proper Office in the State.

We shall only add that if the State of North Carolina should at this juncture by the sale of this Tobacco come to the relief of the General Treasury, it will be rendering a service honorable to themselves & highly aceptable to the Union.

We have the honor, &c.,

SAMUEL OSGOOD,
WALTER LIVINGSTON,
ARTHUR LEE.

## ROYAL FLINT TO GOVERNOR JOHNSTON.

[From Executive Letter Book.]

NEW YORK, 11th July, 1789.

SIR:

Your Excellency will receive enclosed a Letter from the Board of Treasury recommending me as a purchaser of a Quantity of Tobacco

belonging to the State of North Carolina. I have therefore empowered the Bearer, Mr. Daniel Carthy, to enter into a Contract with your Excellency, or such person as you may appoint for the purpose, provided the Tobacco can be procured on such Terms as to make it a secure object for me.

As Mr. Carthy is vested with formal powers for Compleating and Carrying into Execution this Contract it is unnecessary for me to make any further remarks on the subject.

I am, &c.,

ROYAL FLINT.

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J. F. GRIMKE TO GENERAL HARRINGTON.

[From Executive Letter Book.]

CHARLESTON, July 13th, 1789.

DR. GENERAL:

I have been very sick since I wrote you last & have begun again to recover my health & my recollection of the promise I made you about the ginning machine. The Courts have been continually sitting for these five weeks and have been moving from one house into another which has discomposed all my papers; so that I find Letters to be answered were enrolled with Letters answered. I hope you will think I have made excuses enough & that each of them would have served my turn. However, you may depend on hearing fully from me pr. next post at farthest, tho' I am told by his son that Capt. Dewitt is expected down every day. If so, rest assured that you shall have quantum sufficit by him. Remember me to my worthy Friend of the Hill & tell him I hope he has made progress both in the Sweets & the bitters I sent him. Let me know if I shall come charged myself with another Quarto next November.

Adieu Dr. General & be assured of the Esteem of your

Obdt. hum. Servt.,

J. F. GRIMKE.

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GOVERNOR JOHNSTON TO WILLIAM LITTLEJOHN.

[From Executive Letter Book.]

EDENTON, 20th July, 1789.

SIR:

In your Letter of the 29th of May last, you proposed to purchase 100 Hogsheads of the Publick Tobacco at Stewart's Warehouse on

Roanoke River, since which I have not had the pleasure of hearing from you on that subject. I have this day received proposals for the purchase of the whole of the Publick now on hand by a person who has obtained a Credit at the Treasury of the United States. He is to call upon me again to-morrow morning by which time I shall be glad to know whether you are like to comply with your proposals, as I should be sorry to lose so fair an Opportunity of disposing of the whole of that Tobacco.

I am, &c.,

SAM. JOHNSTON.

## WILLIAM LITTLEJOHN TO GOVERNOR JOHNSTON.

[From Executive Letter Book.]

EDENTON, 21st July, 1789.

Your Excellency's Letter of yesterday I duly received and notice its contents.

Immediately after the receipt of your answer to mine of the 29th of May, respecting the Tobacco, Genl. Skinner, for whom the contract was made, wrote to the Commissioners of the Treasury by Dr. Williamson, who was to negotiate the Business there and to write by the first Post, after the business was in readiness. The answer from that Quarter is not yet come to hand, nor indeed can it be expected so early as this. As soon as the answer comes to hand, it shall be laid before your Excellency. I am in no doubt of succeeding in obtaining the Credit at the Treasury Office. If so it would throw matters into confusion, If I should obtain the Credit and the Tobacco should be disposed of. I don't recollect in my proposals of being confined to any particular Warehouse to receive the Tobacco.

I remain, &c.,

WM. LITTLEJOHN.

## DANIEL SMITH TO GOVERNOR JOHNSTON.

[From Executive Letter Book.]

SUMNER COUNTY, 24th July, 1789.

SIR:

The enclosed letter from Col. Robertson I have thought fit to send you, believing that it might convey as clear an Idea of the de-

vastations committed by the Indians in this Country as anything that I could say. He speaks only of the County of Davidson, the other two counties in proportion to their members have suffered accordingly. I assure you, Sir, many of the settlers here, being worn out with War, nothing being done by Government for our Protection, the Federal Constitution not being agreed to, no Cession made to Congress, all these evils operated so forcibly on their minds that had the Spaniards promised us effectual protection, I am persuaded many here would have been for coming under their Government in hopes of getting their Calamities alleviated.

But, Sir, for two or three weeks past our prospect has not been so gloomy. The Indians have been but little among us, by which we begin to have favourable hopes of the Treaty. It begins to be generally believed that this fall the State will agree to the Federal Constitution and probably the Cession Act may take place.

What I would most particularly intercede with your Excellency to do, is to give Congress such information of our Distresses as may induce them immediately upon the Constitution's being agreed to, or the Cession Act made, to give us some effectual protection.

We are here very anxious to know what effect the Treaty will have with the Indians, or indeed whether they will be any at all with them. We hope that the Commissioners will represent to the Indian that we are under the protection of the United States, altho' not as yet in the Union.

I am, &c.,

DAN. SMITH.

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## GOVERNOR JOHNSTON TO JAMES PORTERFIELD, E. PHILLIPS AND EGBERT HAYWOOD.

[From Executive Letter Book.]

EDENTON, 31st July, 1789.

SIR:

Mr. Daniel Carthy, on behalf of Mr. Royal Flint, of the City of New York, having Contracted with me and the Council for the purchase of the Public Tobacco now on hand, we have agreed that it should be again Inspected and weighed, and put in good order for shipping at the Expence of the State. You are therefore to have the Tobacco which you Purchased for the State again inspected, weighed

and put in good order to be Shipped as soon as Mr. Carthy shall call on you for that purpose. It is my wish that you do everything in your power to expedite this business so that Mr. Carthy may meet with as little delay as possible.

I am, &c.,

SAM. JOHNSTON.

## DUCHER TO GOVERNOR JOHNSTON.

[From Executive Letter Book.]

WILMINGTON, 12th Augt., 1789.

MONSIEUR:

Permittez moi d'appeler a votre Excellence que par les lettres dont vous m'avez honore, vous avez bien voulez exprimer l'envie d'aquitter la Creance de la Martinique.

L'Assemble General Agent ordonne qu-on vendait du Tubac de l'etat pour payer cette dette, J'ignore Monsieur, quels obstacles vous ont impeche de terminer cette affaire, et Je suis bien fache qu'elle ne le soit pas.

Je suis, &c.,

DUCHER.

## HUGH WILLIAMSON TO GOVERNOR JOHNSTON.

[From Executive Letter Book.]

NEW YORK, 12th Aug., 1789.

SIR:

The Board of Commissioners for settling the Accounts of the United States with the particular States, is filled up by the appointment of Mr. Kean, who is expected here in two or three weeks at most, the President having written to him by a vessel to Charleston. The settlement of the Accounts of our State will then be progressive, in the meanwhile Col. Thomas and myself are attempting to discover the amount of false Charges against the State by Military Claims. It now becomes our duty to establish as many of those Claims as possible, the State having paid the money.

By this conveyance I shall forward a bundle containing the Laws

of particular States forwarded according to Recommendations of the former Congress to the Legislatures of North Carolina.

I am, &c.,

HU. WILLIAMSON.

## GOVERNOR JOHNSTON TO GENERAL SMITH.

[From Executive Letter Book.]

EDENTON, 31st August, 1789.

SIR:

Your Letter of the 24th of July last came to me the 27th of this month, enclosing a Letter from Colonel Robertson to you, dated the 7th of July.

I have long felt very sensibly for the misfortunes and sufferings of the Inhabitants of the Western Waters of this State, and sincerely lamented that it was so little in the power of this Government to extend its exertions so as to give effectual support & Security to that part of the Country. The difficulties arise from a combination of Circumstances, particularly your distant Situation from the most populous parts of the Country, the Nature of the assaults made upon you and the great extent of your Frontier, which would acquire a considerable Army to form a line of Post in such manner, as to afford you any considerable degree of Security. I hope a Treaty will take place this Fall. If it should not & this State thinks proper to adopt the Constitution, I will lay a full state of your case before the President of the United States, who I doubt not will pursue such measures as will make the Indians see it their Interest to desist from hostilities. This I fear can only be done by carrying the War into their own Country with a sufficient force to bring them to reason. This is a dreadful alternative, which nothing could justify but the necessity at all Hazards, of securing protection to the Inhabitants.

The Idea, which some hold forth of putting themselves under the protection of Spain, or in other words, becoming a Spanish Colony, is so monstrous and absurd that it will not bear a moment's reflection, how could Americans among whom, the Rights of Mankind are so well understood, submit to be under the Dominion of Laws dictated by any one man upon Earth, varied occasionally according to the whim & caprice of an ambitious Monarch, or to gratify the avaricious or arbitrary views of a wicked Minister? Will men who have

so bravely defended themselves against the encroachments of one of the most formidable powers in Europe, sink under the assaults of a few undisciplined Barbarians? It can never be the case. I think more honourably of the Inhabitants of the Western Waters than to suffer the smallest degree of pain on that account.

I hope your prospects will soon brighten, recommend patience and perseverance to the people under your Command, I hope their sufferings will not have a much longer duration.

I shall expect to have the pleasure of meeting you at the Assembly, when we can have an opportunity of mutually communicating our Sentiments on this subject, more at large. You may rely that nothing within the compass of my power, which can in any manner tend to the happiness and Security of the People with you, shall be left undone, and I shall consider it my greatest happiness to effect any measure which may tend to restore to that distressed people that peace & security which they so greatly stand in need.

Be pleased to present my best respects to Col. Robertson & Believe me &c., &c.,

SAM. JOHNSON.

P. S.—Since writing the above, I am informed by Letters from New York that Genl. Lincoln, Cyrus Griffin, Esqr., late President of Congress, and Col. Humphreys are appointed to treat with the Southern Indians, and that there is a considerable sum of Money Voted by Congress to defray all expences that may attend the negotiations. This I flatter myself will have a happy effect upon your affairs, as I doubt not but that the Interest of this State will be attended to in any Treaty which may be made, as far as Circumstances will admit, though the Commissioners cannot undertake to stipulate anything which will bind us, in our present situation.

I remain as above,

S. JOHNSTON.

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### DUCHER TO GOVERNOR JOHNSTON.

[From Executive Letter Book.]

WILMINGTON, Sep. 2, 1789.

MONSIEUR:

J'apprend avec plaisir que votre Excellence a vendue tout la Tubac de l'etat au Sr. Hint negociant de New York, que son propose

est ici pour recevoir celui qui est dans les Magazines de cette ville, et que il vor ensuite a Washington & Edenton pour la meme objet.

J'espere Monsieur que votre Excellence a par cette vente pris des arrangements pour acquitter la Creance de la Martinique, et que il voudra bien m' enformer du lieu, du tems, et de la maniere du payment.

Je suis,

DUCHER.

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## HON. HUGH WILLIAMSON TO GOVERNOR JOHNSTON.

[From Executive Letter Book.]

New York, 5th September, 1789.

Sir:

You have been informed that a peace with the Southern Indians is taken up by Congress as a serious Object and the business seems now to be in a fair Train. Twenty thousand dollars are appropriated to discharge the Expences, and the Commissioners Genl. Lincoln, Cyrus Griffin & Col. Humphries sailed on Monday last for Georgia to attend at a Treaty to be held on this Month. They have with them a Guard of fifty Continental Soldiers. It appears to me that the Safety and Peace of our Citizens in the Western Country is more or less affected by every Treaty that is held with Southern Indians. Two Cherokees who lately arrived here by and with their Complaints are gone in Company with the Commissioners. I wish to take an early opportunity of impressing the Commissioners with the absolute necessity of prevailing on the Indians to relinquish all claims to the Lands on which our People are settled; with this view I threw a few sentiments on that Subject into the form of a Letter, whcih I handed the Commissioners. Inclosed you have a Copy. It is a Subject to which I never had adverted but with pain, for though I never knew a man with more humanity or more Integrity than the Gentleman who was at the Head of the Commissioners who made the Hopewell Treaty, yet I cannot admit of a Doubt but the settlers must be quieted even though it becomes necessary to make another purchase of those Lands from the Indians.

You have also inclosed the copy of a Memorial I thought it my duty to present to Congress in behalf of our Commerce. I hope the paper does not require other explanation. The subject is under

commitment and you shall be informed whether Congress think fit to alter their Law. I am aware that our wishes may not be a little thwarted by numerous Petitions come or coming from Rhode Island. Those people seem to be asking things that are not safely to be granted.

I am, &c.,

HU. WILLIAMSON.

## GOVERNOR JOHNSTON TO MONSIEUR DUCHER.

[From Executive Letter Book.]

EDENTON, 10th Sept., 1789.

SIR:

It is true that I have contracted with Mr. Flint of New York for the sale of the whole of the Tobacco now on hand the property of this State who has obtained a credit in favor of this State with the Treasurer of the United States for the amount.

This for the present puts it out of my power to comply with the Martinique Demand. The Tobacco has lain long on hand at a great Expence and loss waiting for a purchaser who could pay the cash or such Bills as would be acceptable to the Government of Martinique, but none such offered, therefore fearing a total loss I thought it best to dispose of it in this manner trusting that upon my laying these circumstances before the next General Assembly, they will provide effectual Funds for the Discharge of that Debt, a circumstance which will afford me much pleasure and be assured that the great & unavoidable obstacles which have long delayed that payment has been a source of much concern to me.

I am, &c.,

SAM. JOHNSTON.

## JAMES PORTERFIELD TO GOVERNOR JOHNSTON.

[From Executive Letter Book.]

WILMINGTON, Sept 16th, 1789.

SIR:

Your favor of the 31st July came to hand the 8th of August, and agreeable to the contents thereof I have gone through a re-inspection of all the Publick Tobacco that was at this place, or that could

possibly be got here at this time, our River is so low and has been so these two or three Months, that the Boats can scarcely go up and down empty. The remainder of the Tobacco I hope will be got down, by the last of the next Month, there will be about two hundred and fifty Thousand agreeable to the Inspectors Notes, they are all very much short of the first weight, they will lose at least 6 per Ct. 29 Hogsheads out of what has been now inspected are refused.

I am very much disappointed that Mr. Carthy does not receive the Tobacco, at this time, my opinion was that I should make a delivery immediately and take a receipt for the quantity delivered, but Mr. Carthy informs me that agreeable to his Contract he is not to be in possession of the Tobacco until Bills are drawn and Accepted for the amount, therefore the whole is again stored at a very considerable expence and I suppose remains at the risque & charge of the State.

I wish your Excellency would give me some further advice on the business, before the delivery may take place in order that it may be properly conducted.

Mr. Carthy brings with him a Manifest of the Tobacco now inspected by Darsey & Callender two hundred and fifty-nine Hogsheads weighing two hundred & Seventy one Thousand seven hundred & Sixty one pounds Nett beginning at No. 1 and going to 269.

I have the Honor, &c.,

JAS. PORTERFIELD.

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### J. F. GRIMKE TO GENERAL HARRINGTON.

CHARLESTON, Sept. 29, 1789.

DR. GENERAL:

I wrote you sometime past concerning a Gin for Cotton informing you at that time that the price of a double one would be £12 & that of a single one £8. Not having heard from you I apprehend my Letter has not reached you; having therefore a Good Opportunity by one of your Neighbours (one Null, formerly a Corporal under me), I embrace it to give you the information about the price; should you not have received my other Letter. I should be glad to hear how your Election business has gone on, whether favorable or not to our wishes & Federalism. Mr. Benj. Smith lately arrived from Wilmington says, that they are all Federal for his County,

the antis have been rejected there. May you have had the same Success. I am Dr. General with Esteem yr. ob. hum. Servt.,

J. F. GRIMKE.

Comps to my old Friend Mr. Pegues & Sons.

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JOHN SKINNER TO GOVERNOR JOHNSTON.

[From Executive Letter Book.]

PERQUIMANS, 2nd Oct., 1789.

SIR:

It being inconvenient for me to Act as a Counsellor any longer for the present year, you will please to accept this as my resignation of the Appointment.

I am, &c.,

JOHN SKINNER.

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ETHELRED PHILLIPS TO GOVERNOR JOHNSTON.

[From Executive Letter Book.]

WASHINGTON, 10th Oct., 1789.

SIR:

In obedience to your Instructions of the 31st of July last, I have proceeded to the re-Inspection of the Publick Tobacco by me purchased of which, Three Hundred and twenty-four Hogsheads were judged to be of the first and second Class, which Qualities Mr. Carthy agreed to take in part of his contract with you and the Honourable Council.

Inclosed you have a Manifest signed by the Inspectors, it is stored & ready to be delivered. Forty-five Hogsheads were adjudged to be inferior to the Second Class, them I have Coopered and restored without weighing a List of which I will inclose to you by some other opportunity. I am, &c.,

ETHELRED PHILIPS.

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EGBERT HAYWOOD TO GOVERNOR JOHNSTON.

[From Executive Letter Book.]

DALYS, Oct. 13th, 1789.

SIR:

Agreeable to your Excellency's command I am now at Mr. John Stewart's Ware House with Mr. Carthy, and the Halifax Inspectors

inspecting the Public Tobacco, and should be glad if your Excellency, will be pleased to send me instructions by the bearer what I am to do with the Tobacco after it is inspected, whether I am to Store it again in Mr. Stewart's Ware House or deliver it to Mr. Carthy, also what I am to do with the Tobacco that is refused on second Inspection.

I am, &c.,

E. HAYWOOD.

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GOVERNOR JOHNSTON TO EGBERT HAYWOOD.

[From Executive Letter Book.]

HAYES, 16th Oct., 1789.

SIR:

I am very glad to hear that you are about to Inspect the Tobacco for Mr. Carthy, as soon as you have Compleated it, you will be pleased to send me a Manifest of all that is passed and accepted by Mr. Carthy, who will come over immediately and compleat his part of the Contract, by accepting Bills for the amount, when I will give him an order for the Tobacco.

What is refused you will cause to be stored till further orders.

I am, &c.,

SAM. JOHNSTON.

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WILLIAM LITTLEJOHN TO GOVERNOR JOHNSTON.

[From Executive Letter Book.]

EDENTON, 20th October, 1789.

SIR:

The proposals which I made your Excellency on the 29th of May last, for purchasing some of the Tobacco in this State, the Contract being complied with on my part, your Excellency will please to deliver John Skinner, Esqr., of Perquimans county, an order on your Commissioner at Fayetteville, for the delivery of the Tobacco to the Amount of the Credit, which I have obtained on the Treasury Books of the United States, (to-wit), for 3,400 Dollars, which according to Contract will amount to 113,333 lb. Weight of Tobacco of the first Quality. The order for the same being delivered to Mr. Skinner as above for the Tobacco, will be agreeable, as if the same was delivered to.

Your most Obedt., &c.,

WM. LITTLEJOHN.

JAMES PORTERFIELD TO GOVERNOR JOHNSTON.

[From Executive Letter Book.]

EDENTON, 26th of October, 1789.

SIR:

You will be pleased to deliver to John Skinner, Esqr., or his Order, One Hundred & thirteen Thousand, three hundred & thirty-three pounds of the Tobacco, which you purchased for the State at Fayetteville, not already inspected for Mr. Carthy.

The above Tobacco to be delivered at Wilmington of the best Quality of the last Crop, in good order for Shipping, but not to be re-inspected, this is in discharge of a Contract, intered into by the Governor & Council, with Mr. William Littlejohn.

I am, &c.,

SAM. JOHNSTON.

SAM. JOHNSTON TO THE SECRETARY OF THE TREASURY OF THE UNITED STATES.

[From Executive Letter Book.]

EDENTON, 25th October, 1789.

SIR:

In Consequence of a Credit which Mr. Royal Flint had obtained at the Treasury of the United States, when it was under the direction of the Commissioners, I have sold to him a quality of Tobacco, on Account of the State of North Carolina, and now inclose to you his Accepted Bill, for Eighteen Thousand, one hundred & thirty-Six Dollars, and thirty ninetieths of a Dollar, payable in Ten Days after Sight; The General Assembly of the State of North Carolina has directed, that this money be paid on Account of their proportion, of Interest, on the Foreign Debt due from the United States, you will therefore Credit the said State accordingly.

I have the honor, &c.,

SAM. JOHNSTON.

GOVERNOR JOHNSTON TO RICHARD WINN.

[From Executive Letter Book.]

FAYETTEVILLE, 29th October, 1789.

SIR:

I received your Letter of October last at this place which I immediately communicated to the General Assembly. The Business

has taken up much time and debate but was finally determined in the manner you will perceive by the enclosed copies of Resolves of the General Assembly in pursuance of which I have sent on an Express to signify to the several Indian Nations, the Measures which this State wishes to pursue and to propose a Cessation of Hostilities.

The Assembly has voted 333,373 dollars for which the Commissioner is to have a Warrant on the Treasury. John Steel, Esquire, is appointed on the part of this State, from the knowledge I have of his General Character in publick life I have every reason to hope that he will conduct such part of the Business as may fall to his share in a manner perfectly to the satisfaction of all parties. Mr. Steel will shew you the Act of Assembly which describes our Boundary.

I am, &c.,

SAM. JOHNSTON.

## RICHARD WINN TO GOVERNOR JOHNSTON.

[From Executive Letter Book.]

WINNSBOROUGH, 13th December, 1789.

SIR:

Since I had the honor of addressing your Excellency last on Indian Affairs, I have received a Talk from the Cherokees, a Copy of which I beg leave to lay before you, by this you will see, that the disposition of that Nation is to come to a friendly Treaty. A noncompliance with the Resolves of Congress by your State now, will undoubtedly be construed by the Indians, that we are not only deceiving and lulling them into security, that they may be the more easily destroyed. In this belief should such neglect continue, and no supplies nor Commissioner be sent forward there is great probability that the Southern Tribes may yet Unite (as I have a right to believe 'tis what McGillevray has been trying to do) and involve the Union in an unnecessary & bloody War, which a well timed peace might prevent. I trust these things to your Excellency's serious consideration and wish you to fix on the time and place with me of finishing so good a work.

The Creeks are requested to meet in May or June next. Should a Treaty take place with both Nations at the same time, it would be attended with less Expence than to treat separately. Could you not immediately fall on a mode of Supplies, by sending on a Commis-

sioner, we could determine that matter to you with as little inconvenience to your State, as the Nature of the case will admit of.

As I have assured the Indians that all hostilities would cease, I must request your Excellency to issue a Proclamation for a suspension of arms to take place immediately.

I have the honor, &c.,

RICH'D WINN.

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ABISHAI THOMAS TO GOVERNOR JOHNSTON.

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HILLSBOROUGH, 15th December, 1789.

SIR:

On my arrival at this place I found the Commissioner of the United States and the Comptroller so far advanced towards closing the Accounts which have been acted upon, and the Commissioner so anxious to depart, that it was impracticable for me to wait on your Excellency in person as I designed to have done and in the mean time obtain the necessary information relative to the accounts which go forward, this being the case, I conceived it necessary to write to your Excellency by Express.

When the Accounts and Vouchers which are stated are properly arranged and packed for transportation, and I have taken possession of the Documents relative to such Statement and arrangement, and have as far as is practicable informed myself of the nature and Amount of those not acted upon, I conceive it will next be my duty to go to the different publick Officers in the State to collect such other documents and information, as they may afford in support of our Claims.

I am not capable at present of forming an accurate statement of what may be necessary but such as immediately occur to my mind are the following, viz.: All the Resolves and Proceedings of our several Provincial & State Congresses and Committees of Safety relative to raising, equipping, supplying, and paying men for Continental, Militia and Minute Service; all the Acts of Assembly which have passed for the purpose aforesaid, the Acts and Proceedings of the Governors & Councils during the War, of the State Board of War, & Council Extraordinary, from all which I have no doubt, but valuable information may be obtained more especially with re-

spect to Our Claims for Militia services & Supplies and as those claims are in numerous instances not covered by Resolves of Congress; it will also be necessary to collect the Letters and orders of the Generals Commanding and other Continental Officers in the Southern Department, and it may likewise be necessary to collect such Laws as have passed for establishing Boards of Auditors, &c, for liquidating claims, whereby we may be able to shew that we exhibit none but such as we have actually paid, or assumed to pay; if any thing else occurs to your Excellency I must solicit the favour of you to inform me, and from time to time give me such further aid, instructions & orders as you may deem necessary to this service which I shall cheerfully attend to and give you Regular information of my Proceedings in the premises. As the State has honored me with this appointment I propose to relinquish every other pursuit and execute the trust reposed in me to the utmost of my power and abilities.

My Colleague being at present in Congress we cannot avail ourselves of his valuable assistance in this work, as I presume he will have to collect and arrange the Resolves of Congress which may be applicable to our purpose; this being the case and the Assembly having made no provision or allowance for Clerks to assist in case of Necessity makes the burthen fall heavy on our Shoulders, however I enter upon it with alacrity and trust I shall be able when I shall give an account of my Services to exhibit in quantity if not in quality sufficient to justify any one man.

I have not yet written to Doctor Williamson but propose doing it immediately on the receipt of your Excellency's Answer when I shall be able to more fully inform him of what is doing and what is likely to be done and solicit his assistance in suggesting what may be further necessary.

I enclose to your Excellency some Resolves of the General Assembly relative to the duties and allowances of the Agents; on the last head you will perceive a future Assembly is to judge of and determine what compensation shall be made for services rendered prior to going to New York but in the mean time the business must be done and I am not in a situation (as to my finance) to carry it into execution without some money is advanced me, must therefore solicit your Excellency to grant Warrants in my favour of £50 each to amount of $200 for which I pledge my faith fairly & honorably to account whenever a future Assembly shall call me thereto or

make allowances for services as Expressed in the Resolve aforesaid. I shall request the Sum in Small Warrants supposing the Treasury not to be in Cash and that I shall have to draw it out of the hands of Sheriffs or Collectors one of whom may not be able to discharge the whole.

I must also take the liberty of requesting your Excellency to take order of payment for this Express. I have contracted to pay his expences and to give him ten shillings per day exclusive for the services of himself and horse. I am not in cash even to advance this small Sum or should not trouble your Excellency on this Occasion as I could have made a charge of it in my Accounts. Since writing the foregoing the Comptroller has suggested to me and has shown me a paragraph of his Letter wherein he suggests to your Excellency the propriety of my going forward with the Commissioner of the United States to Richmond in order to continue the statement of our accounts against the United States so long as he shall continue there which will be until the Month of March; of the propriety of this measure I cannot undertake to judge but shall submit it entirely to your Excellency and conform myself according to your orders therein submitting the following facts to your consideration, viz., that the Comptroller agreeably to the Orders of the General Assembly cannot deliver any accounts or Vouchers to the Commissioner but such as are enlisted and he can take descriptive acknowledgments for same so as to establish the Claims of the State should the Vouchers be lost. The accounts alluded to are not listed or examined, that they amount to a very considerable Sum, the Accounts of Col. Long being among them, and that if the Comptrollers proposal should be acceded to the time of stating those accounts will be continued near three months longer and perhaps save to the State the Amount thus stated Unless Congress should extend the term for exhibiting the Accounts of which we have as yet no information and which Mr. Winder is of opinion will not take place.

If your Excellency thinks it most expedient to the Interest of the State to order me on to this service it is probable I may be able to return about the 15th of March, and it is also probable that with such assistance as your Excellency may think proper & necessary to allow me I may after that time be enabled to collect the necessary information and documents in support of our Claims and be forward with them by the time the Commissioners are at New York

and will be in readiness to act upon them. If this measure is adopted my foregoing application for money is done away for the present except for a small Sum say £50 which I shall want prior to setting out for Richmond and as the going to, Services to be performed there, and returning will necessarily take up about three months I must solicit your Excellency to grant Warrants in my favour for three months salary, which I presume your Excellency will think with me ought not to be less than the allowance granted for services to be performed at New York, or if your Excellency cannot undertake to fix my salary for this service at that rate, I will agree to draw money on acount to that amount and depend on the justice & liberality of a future Assembly for making me the Allowance. Enclosed is a Certificate of the Appointment of the Agent on which I will thank your Excellency to grant a Commission and if you deem it not necessary to retain in your possession the enclosed Resolves I will thank you to return them as I have no authentic Copy of them.

I have the honor, &c., &c.,

ABISHAI THOMAS.

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A. MACLAINE TO EDWARD JONES, ESQUIRE.

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23rd November, 1790.

Dear Sir:

Since I gave you my sentiments relative to a court house in the street, I have seen your letter to Mr. Hooper, where you mention a proposal (without saying from whom) of erecting a brick building 60 by forty, without expense, reserving four shops and the cellars to indemnify the undertaker. It is indeed very extraordinary, that the district cannot be contented with a convenient house in a convenient place, unless they can have a shaded walk from which they can see the four quarters of the town. Is a building to be erected merely for private gratification, without any degree of public utility? And what is much worse to the manifest injury of the inhabitants, and evident danger of their property? In case of a fire it would be impossible to save a building of that size unless it should be built of solid bricks or stone, without any apertures; for doors and windows will take fire. Between such a building and covered piazzas, our streets would be completely blocked up. In what direction this pro-

posed building is to stand, does not appear. Sixty feet across the widest streets will take two thirds of the whole, for steps & platforms already occupied fourteen feet; but suppose that forty is intended, and that the house is to be extended sixty feet along the street, there will, after deducting the steps, &c., be no more than forty-five feet left, which is 22 on each side, and this space would generally be pretty well occupied by carts & horses loitering about the dram-shops at each corner; so that a private projector would have a fee simple in a cellar of 60 by forty, and four shops in the public passages, to the great annoyance of the inhabitants and of every person who walked the streets, merely to gratify a few loiterers who wish for a place of indulgence. If such a scheme was to take effect, I will venture to assert, that the communication between the upper and lower part of the town, must be conducted by boats, for I am sure there would not be room for the different carriages, casks, &c., that ought to have a free passage in the streets.

As to the building of any kind of a house, or shed in the place where the old court house stood, it is too absurd to need a refutation, You very well know that in Philadelphia, where a great length of street is occupied by sheds for market houses, these sheds never cross any street, and they are very narrow indeed. No other building is admitted but one joining Second street, over the market, merely for the purposes of the town. The principal courts of Justice are held in the State house. There was indeed in the original plan of that city, squares laid off about the centre for public buildings but the plan was too extensive to admit of their being applied to that use. In Wilmington no such provision was made; but a pleasant and convenient lot was purchased for the public, which is however not altogether convenient for the private business of the country gentlemen. God send us under some rational Government; for the private schemes of individuals, who are always pursuing their own crude indigested ideas will never suffer us to prosper. They are not able to discover that the health and conveniency of towns, are highly advantageous to the country; but instead of seizing every opportunity of improving them as people are doing in old countries, they are for some whim, rendering them as much worse as possible.

How do you advance in your grand scheme to defeat Congress? Is the all-knowing Doctor Williamson, instead of being on the road to attend his duty as a representative of the United States, torturing

his ingenuity how to evade the laws of that body of which he has the undeserved honor to be a member? He would have made a good pettyfogging attorney; but nature never intended him for a legislator.

Yours,

A. MACLAINE.

You tell Mr. Hooper that you and Mr. Hay do not agree about the Federal Courts. I hope our Memorial will satisfy you. You must know that it will be impossible to interest the Assembly in favor of Wilmington. Besides it would not answer our purpose. In favor of Fayetteville, we shall probably succeed. Our situation is such in this State, that Congress will so far alter the system, as to give us a stated court, and though I wish very sincerely that Fayetteville may have the courts alternately, I am very apprehensive that it will be only her turn of the circuit court unless the jurisdiction of the district court should be enlarged. I do not know what service it will be of to Fayetteville, provided we have a court here for maritime causes; unless merely to have a court held there; but no maritime business can arise at that place.

# SENATE JOURNAL---1789.

(Proceedings of Second, Third and Fourth November missing.)

THURSDAY, November 5, 1789.

The House met according to adjournment.

On motion of Mr. Macon, Ordered, that he have leave to withdraw for amendment the bill to repeal part of an Act passed at Tarborough, entitled "An Act to amend an Act to regulate the inspection of tobacco within this State."

Mr. Charles Johnson moved for leave and presented a bill for altering the name of James Rousom to that of James Long; which was read, passed the first time and sent to the House of Commons.

Received from the House of Commons a petition of James M'Masters, endorsed, "Referred to the Committee of Propositions and Grievances;" which was read, referred in like manner and returned.

Mr. Winston moved for leave and presented a bill for dividing the county of Surry into two distinct counties, and for other purposes;" which was read, passed the first time and sent to the House of Commons.

On motion of Mr. Bloodworth, seconded by Mr. Blount,

Ordered, That the following Message be sent to the House of Commons:

Mr. Speaker and Gentlemen:

We propose that a joint committee be appointed to take under consideration and report the amount of the certificate debt due by this State and what steps are most eligible to be taken for the extinguishment of the same: Should this propostion meet your concurrence, Mr. Willis, Mr. Macon, Mr. Gregory, Mr. Bloodworth, Mr. Blount, Mr. Lenoir, Mr. Smith, Mr. Lane, Mr. Galloway and Mr. Carter, will on the part of this House act with such gentlemen as you may appoint for the above mentioned purposes.

On motion of Mr. Blount, the bill to empower the county court of Pitt to lay a tax annually for the purpose of building a new courthouse, prison and stocks, and for keeping the same in repair; was read the second time in this House, amended, and sent to the House of Commons.

Mr. Galloway moved for leave and presented a bill for the recovery

of debts according to contract; which was read, passed the first time and sent to the House of Commons.

Adjourned till to-morrow morning 10 o'clock.

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FRIDAY, November 6, 1789.

A majority of the House met according to adjournment, when Mr. Blount informed the House that his Honour the Speaker was so indisposed as to be incapable of attending the duties of the chair: Whereupon it was proposed that a Speaker be appointed pro tempore, and on motion Mr. Charles Johnston was unanimously chosen.

Mr. Skinner moved for leave and presented a bill to confirm unto Granbury Sutton an indefeasible title to certain lands therein mentioned in Perquimans county; which was read, passed the first time and sent to the House of Commons.

Received from the House of Commons the following message:

Mr. Speaker and Gentlemen:

This House have appointed Mr. Rice, Mr. Ewing, Mr. Ray, Mr. Scott, Mr. Holland, Mr. McDowall, Mr. Stokes, Mr. Chambers, Mr. Yancey, Mr. Mebane, Mr. P. Hawkins, Mr. Qualls, Mr. Hamilton, of Edenton, Mr. Montgomery, Mr. Guion, Mr. B. Williams, Mr. Dickson, Mr. Jones, Mr. Grove, and Mr. Spiller, a committee on their part, to act with the gentlemen by you appointed as a committee to take under consideration the necessary and most eligible plan to be taken for the extinguishment of the certificate debt due by this State.

Mr. Gregory presented the resignation of Joseph McPherson, Justice of the Peace for the county of Camden; which was read and accepted, and sent to the House of Commons.

Received from the House of Commons the following message:

Mr. Speaker and Gentlemen:

We herewith send you a Message from his Excellency the Governor, addressed to the General Assembly, together with the several public papers and dispatches therein referred to.

The foregoing being read, Ordered, That the following message be sent to the House of Commons:

Mr. Speaker and Gentlemen:

The message of this day's date from his Excellency the Governor,

together with the public papers accompanying it, we have received, and as you appear to have taken no order thereon, we herewith return them to you referred in the following manner, viz: That the files of papers numbered 3, 4, 6 and 8, containing letters respecting the Martinique demand, accounts of this State with the United States, sales of the public tobacco, and letters from the Commissioners of army accounts, be reported on by the committee of finance. That the files No. 5 and 2 be submitted to the consideration of a joint committee, to be stiled the committee on Indian affairs; on which we have appointed Mr. Gillispie, Mr. Lenoir and Mr. Smith, who will act with such gentlemen as you may name for this purpose.

Received from the House of Commons the following Message:

Mr. Speaker and Gentlemen:

We agree that seven members of any one of the committees appointed this session, be a quorum for the transaction of business.

Mr. Speaker and Gentlemen:

This House do consent that the memorial of William Smith be referred to the Comptroller, and that he be directed to make such allowance thereon as shall appear to him to be just.

Received also from the House of Commons the bill to empower the county court of Pitt to lay a tax annually, for the purpose of building a court-house, prison and stocks, and for keeping the same in repair; endorsed "Read the second time, amended and passed."

Ordered, That this bill be read; which being read, was amended, passed the third time and returned.

Received likewise from the House of Commons a memorial of Humphrey Hardy, a petition of James Fletcher, a petition of John Whitlay, a petition of James Campbell, a petition of Ptolemy Powell and a petition of James Barr; respectively endorsed "Read and referred to the committee of Propositions and Grievances; which were read, referred in like manner and returned.

Mr. Macon presented the petition of Unity Wilson, which was read, referred to the committee appointed on the petition of Granbury Sutton, and sent to the House of Commons.

The House adjourned until to-morrow morning 10 o'clock,

SATURDAY, November 7, 1789.

Met according to adjournment.

Received from the House of Commons the following Message:

Mr. Speaker and Gentlemen:

We have added Mr. Person to the committee appointed to take under consideration and report the amount of the certificate debt due by this State.

Received also a resolution directing that the Trustees of the brick building now occupied by the General Assembly supply the same with stoves, and be allowed therefor by the public; which was read, concurred with and returned.

Received likewise a resolution declaring that any member of this Assembly, being absent on leave from the service of the House, shall not be entitled to pay during the time of such absence; which was read, concurred with and returned.

On motion of Mr. Bloodworth, Resolved, That the Commissioners or Trustees of the brick building be requested to purchase two pair andirons for the use of the General Assembly, and that the same shall be paid for from the public treasury. Sent for concurrence.

Mr. Willis presented the resignation of Aaron Hill, as a Justice of the Peace for the county of Randolph; which was read, accepted and sent to the House of Commons.

Received from the House of Commons the resignation of William Good, a Justice of the Peace for the county of Craven; the resignation of Shadrach Hogan, Justice of the Peace for the county of Rutherford; the resignation of Josiah Nicholson, Justice of the Peace for the county of Currituck; and the resignation of William Nevil, Justice of the Peace for the county of Rutherford; respectively endorsed "Accepted;" which being read, were also accepted of by this House and returned.

Received from the House of Commons the following Message:

Mr. Speaker and Gentlemen:

This House propose that the bill to confirm unto Granbury Sutton an indefeasible title to certain lands therein mentioned, together with the petition of the said Sutton and the affidavit accompanying the same, be committed to a joint committee from both Houses; who shall ascertain the facts relative to the matters of hardship stated in the petition, and report thereon, with their opinion as to the propriety

or impropriety of passing the bill. We have nominated on our parts Mr. Stokes, Mr. Hamilton, Mr. Peete, Mr. Jones and Mr. Sheppard for this purpose.

The foregoing being read, Ordered, That the following message be sent to the House of Commons:

Mr. Speaker and Gentlemen:

We agree with you in referring the petition of Granbury Sutton to a joint committee, and that they be directed to report specially thereon; and have appointed Mr. Skinner, Mr. Lenoir, Mr. Galloway and Mr. Harget to act with the gentlemen by you named.

On motion of Mr. Joseph Martin, seconded by Mr. Blount.

Ordered, That the following message be sent to the House of Commons:

Mr. Speaker and Gentlemen:

We propose that a joint committee be appointed to take under their consideration and report on the letters and papers now before this Assembly, relative to the conduct of Gen. Joseph Martin; for which purpose we have appointed Mr. Blount, Mr. Smith, Mr. Skinner, Mr. Montgomery and Mr. Mayo, who will act with such gentlemen as you may think proper to name for this purpose.

Mr. Harget moved for leave and presented the petition of John Lemmons, which was read, referred to the committee appointed on the petition of Granbury Sutton, and sent to the House of Commons.

Read the petition of Gotlieb Shober and others, relative to a paper manufactory; whereupon, on motion of Mr. Lenoir, the House resolved as follows, viz:

Resolved, That the public Treasurer be and he is hereby directed to advance on loan to Gotlieb Shober, the sum of three hundred pounds, clear of interest, for three years, for the purpose of encouraging a paper manufactory in this State, taking bond with sufficient security for the punctual payment thereof, at the expiration of said term; and the Treasurer shall be allowed accordingly in the statement of his accounts.

On the question, Do the House concur with this resolution? the year and nays were required by Mr. Skinner, and are as follows, viz:

For a concurrence—Messieurs M'Allister, Bryan, Donaldson, Lucas, Berger, Griffin, Kendall, Yates, Bloodworth, Dickson, Mayo, Harget, Overton, Willis, Webb, M'Kinnie, Gowdy, Lane, Winston, Montgomery, Lenoir, Carter, Arnold, Singleton, Gillespie.—25.

Against concurring---Messieurs. Easton, Gregory, Gray, Paine, Riddick, Skinner, Keaton, Macon, Clinton, Smith, Frazier, Clay.--12.

So the resolution was concurred with and sent to the House of Commons.

Mr. Harget moved for leave and presented a bill to prevent the exportation of raw hides, pieces of hides of black cattle, and calfskins, beaver, racoon and fox furs; which was read, passed the first time and sent to the House of Commons.

Mr. Amis moved for leave and presented a Bill for erecting and establishing a town at Hawkins court house, which was read, passed the first time and sent to the House of Commons.

Mr. Macon, who had leave to withdraw for amendment the bill to repeal part of an Act passed at Tarborough, entitled "An act to amend an act to regulate the inspection of tobacco within this State," delivered in the same with the amendments; which was read, passed the second time and sent to the House of Commons.

Received from the House of Commons a resolution directing that all claims to be adjusted at the present Assembly, be first offered before the committee of claims; which was read and rejected.

Received also the following message:

Mr. Speaker and Gentlemen:

We agree that the papers laid before the General Assembly by his Excellency the Governor, be referred as by you proposed. We have also on our part appointed Mr. Blount, Mr. Davie, Mr. Outlaw, Mr. Holland, Mr. Brevard and Mr. Scott a committee of Indian affairs.

Mr. Gillespie presented the petition of Daniel M'Carthy, which was read, referred to the committee of propositions and grievances and sent to the House of Commons.

Received from the House of Commons the bill for altering the name of James Rousom to that of James Long. The bill directing Josiah Collins, Nathaniel Allen and Samuel Dickenson, Esquires, to pay county and parish tax in the county of Tyrrel, for the property they hold in said county. And a bill for erecting Pungo river and the other inlets in Hyde county into a distinct port by the name of ————. Severally endorsed "Read the first time and passed."

Ordered, That these bills be read; which being read, the first was passed the second, and the two latter the first time in this House and returned.

Mr. Berger presented the petition of George Holyboy, which was

read, referred to the committee of claims and sent to the House of Commons.

Received from the House of Commons the following message:

Mr. Speaker and Gentlemen:

We have added Mr. Davie to the committee on public bills, finance and the committee appointed to take under consideration the necessary and most eligible plan for extinguishing the certificate debt due by this State.

Received also a memorial of General Martin, endorsed "Referred to the committee on Indian affairs;" which was read, referred in like manner and returned.

Mr. Carter presented the petition of a number of the inhabitants of the county of Washington, requesting a division of the said county; which was read, and ordered to be reported on by the committee appointed on the petition from Hawkins county.

Received from the House of Commons the following message:

Mr. Speaker and Gentlemen:

We herewith send you a petition from sundry the inhabitants of Hawkins county, praying a division of the county, together with a bill for that purpose, which we propose referring to a joint committee; who shall examine into the truth of the allegations set forth in the petition, and report their opinion with respect to the expediency of the division. We have for this purpose appointed Mr. Blount, Mr. Davie, Mr. White, Mr. Dickens, Mr. Person and Mr. Scott.

The foregoing being read, Ordered, That the following message be sent to the House of Commons:

Mr. Speaker and Gentlemen:

Mr. Lane, Mr. Gray and Mr. Clinton, will on the part of this house, act with the gentlemen by you appointed for the purpose of enquiring into the expediency of dividing Hawkins county. We also propose that the bill and petition herewith sent you for the division of Washington county, be reported on by the same committee.

Mr. Bloodworth presented the petition of Daniel Williams, late an officer in the continental line of this State; which being read,

Ordered, That the following message be sent to the House of Commons:

Mr. Speaker and Gentlemen:

We herewith send you the petition of Daniel Williams, late an

officer in the continental line of this State, the subject matter of which we propose shall be reported on by a joint committee, and have for this purpose on our parts appointed Mr. Macon, Mr. Bloodworth and Mr. Harget.

Received from the House of Commons the following message:

Mr. Speaker and Gentlemen:

We propose that a joint committee of both houses be appointed for the special purpose of drawing a bill for equalizing the land tax, and for ascertaining the several subjects of taxation for the ensuing year. We have on our parts appointed two members from each district for this purpose, who are Mr. Rea, Mr. Wilson, Mr. White, Mr. Love, Mr. M'Dowall, Mr. Porter, Mr. Lock, Mr. Stokes, Mr. Dickins, Mr. Mebane, Mr. P. Hawkins, Mr. Pride, Mr. P. Williams, Mr. Dauge, Mr. Williams, Mr. Guion, Mr. Dickson, Mr. Snead, Mr. Grove and Mr. Spiller.

The foregoing being read, Ordered, That the following message be sent to the House of Commons:

Mr. Speaker and Gentlemen:

Mr. A. Bryan, Mr. Bloodworth, Mr. Clinton, Mr. Macon, Mr. Skinner, Mr. Smith, Mr. Lucas, Mr. Gowdy, Mr. Carter and Mr. Dickson, will on the part of this House, act with the gentlemen by you named for the purpose of preparing a bill for equalizing the land tax and ascertaining the several subjects of taxation for the ensuing year.

Received from the House of Commons the following Message:

Mr. Speaker and Gentlemen:

We propose that the same rules of reading and passing bills into laws be observed this session, that were observed the last session of Assembly.

The foregoing being read, Ordered, That the following message be sent to the House of Commons:

Mr. Speaker and Gentlemen:

We agree that the rules observed by the last Assembly in reading and passing bills, be also adhered to by the present Assembly.

Mr. Macon presented the claim of Richard Moss for his services as a state witness at Hillsborough, October term, 1787; which was read and referred to the committee of claims.

Mr. John Sevier, the member for the county of Washington, ap-

peared, presented the certificate of his election, was qualified agreeably to law, and took his seat.

On motion of Mr. Amis, Ordered, That the following message be sent to the House of Commons:

Mr. Speaker and Gentlemen:

We have added Mr. Sevier to the committee appointed on Indian affairs.

Received from the House of Commons the resignation of Aaron Hill and Joseph M'Pherson, Justices of the Peace, each endorsed "Accepted;" and the petition of Unity Wilson, endorsed "Read and referred as by the Senate."

Received also from the House of Commons, the resignation of Good Davis, Justice of the Peace for the county of Halifax, and the resignation of James Lytle, Justice of the Peace for the county of Lincoln, endorsed "Accepted;" which were read, accepted by this House and returned.

On motion of Mr. Macon, seconded by Mr. Skinner,

Ordered, That the following message be sent to the House of Commons:

Mr. Speaker and Gentlemen:

We propose that the General Assembly proceed to ballot on Saturday next, at four o'clock in the afternoon, for a Governor of this State the ensuing year, and also for the place at which the next Assembly shall be held. We nominate for Governor, his Excellency Samuel Johnston, Esquire, and for the place at which the next Assembly shall be held, the towns of New Bern, Fayetteville, Tarborough, Hillsborough, Salem and Warrenton.

Adjourned till Monday morning 10 o'clock.

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Monday, November 9, 1789.

The House met according to adjournment.

Mr. Joseph Graham, the member for the county of Mecklenburg, and Mr. Thomas Wade, the member for the county of Anson, appeared, presented the certificates of their elections, were qualified agreeably to law and took their seats.

Mr. Macon presented the memorial of John Williams, Esq., of Caswell county, relative to his services as Commissioner for extend-

ing the line between this State and the State of Virginia; which was read, referred to the committee of propositions and grievances and sent to the House of Commons.

Mr. Lenoir moved for leave and presented a bill to repeal part of an act, entitled "An act to alter the mode of punishing horse-stealing;" also to repeal an act to prevent horse-stealing; which was read, passed the first time and sent to the House of Commons.

Received from the House of Commons a bill for levying a tax in the district of Salisbury, for finishing the court-house and repairing the gaol for the said district; and a bill to release Joseph Stacey, of Montgomery county, from the forfeiture of a recognizance; each endorsed "Read the first time and passed."

Ordered, That these Bills be read; which being read, were passed the first time in this House and returned.

Mr. Winston presented the petition of sundry the inhabitants of Surry county, which was read, referred to the committee of propositions and grievances and sent to the House of Commons.

Mr. Harget, from the committee to whom was referred the petition of John Simmons, delieverd in the following report.

That having taken into consideration the memorialist's petition, are of opinion that the same is not proper for the interference of the General Assembly. Which is submitted.

F. HARGET, Ch.

The House taking this report into consideration concurred therewith.

Mr. Bloodworth moved for leave and presented a bill to repeal part of an Act, entitled "An act once more to extend an Act to pardon and consign to oblivion the offences and misconduct of certain persons in the counties of Washington, Sullivan, Green and Hawkins;" which was read, passed the first time and sent to the House of Commons.

Mr. Harget, from the committee to whom was referred the petition of Granbury Sutton, reported as follows, viz:

That having taken into consideration the memorialist's petition, are of opinion that the same is not proper for the interference of the General Assembly. Which is submitted.

F. HARGET, Ch.

The House taking this report into consideration concurred therewith.

Received from the House of Commons a bill to add part of Bladen county to Cumberland, endorsed "Read the first time and passed."

Ordered, That this bill be read; which being read, was passed the first time in this house and returned.

Received also the resolution of this House directing that the Commissioners or Trustees of the brick building furnish the same with andirons for the use of the General Assembly; endorsed "Concurred with." And a bill to annex the county of Anson to Fayetteville district, and to regulate the appointment of jurors to Fayetteville superior court; endorsed "Read the first time and passed."

Ordered, That this bill be read; which being read, was passed the first time in this House and returned.

The House adjourned until to-morrow morning 10 o'clock.

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TUESDAY, November 10, 1789.

Met according to adjournment.

Mr. Skinner presented the memorial of Thomas Vail, relative to a criminal prosecution had against him in the superior court of Edenton district; which was read, referred to the committee of propositions and grievances and sent to the House of Commons.

Received from the House of Commons the following Message:

Mr. Speaker and Gentlemen:

We have received your message proposing to ballot on Saturday next at four o'clock in the afternoon for a Governor of this State for the ensuing year, and also for the place where the next General Assembly shall be held, with which we have concurred. We have also received your message proposing that the petition of Daniel Williams be referred to a joint committee; and have on our parts appointed Mr. Jones, Mr. Brevard, Mr. Pugh, Mr. Mebane, and Mr. Spiller. This House agree that the bill and petition for the division of Washington, be referred to the committee appointed to report on the bill, &c., for the division of Hawkins. We herewith send you a letter from James Iredell, Esq., on the subject of the revisal of the laws of this State, which we propose referring to a joint committee to report on, and have on our parts appointed, Mr. Davie, Mr. Hamilton, Mr. Spiller, Mr. Person and Mr. Blount.

The foregoing being read, Ordered, That the following message be sent to the House of Commons:

Mr. Speaker and Gentlemen:

We agree that the letter from James Iredell, Esq., be reported on by a joint committee; and have appointed Mr. Skinner, Mr. Lenoir and Mr. Blount to Act with the gentlemen by you named for this purpose.

Received from the House of Commons the following Messages:

Mr. Speaker and Gentlemen:

This House concur with the Senate in referring the papers relative to the conduct of General Joseph Martin to a joint committee; and have on our parts appointed Mr. Davie, Mr. Blount, Mr. Williams, Mr. Stokes, Mr. M'Dowall and Mr. Wilson.

Mr. Speaker and Gentlemen:

We have added Mr. Stokes to the committee on public bills and the committee of finance.

Received also the bill to repeal part of an act, entitled "An Act once more to extend an act, entitled an act to pardon and consign to oblivion the offences and misconduct of certain persons in the counties of Washington, Sullivan, Greene and Hawkins;" endorsed "Read the first time and passed."

Ordered, That this bill be read; which being read, was passed the second time in this House and returned.

Received likewise a representation from the public Treasurer, and a resolution of the House of Commons entered into in consequence thereof; which was read, concurred with and returned.

Received likewise the petition of Daniel M'Carthy, the petition of George Holyboy, the memorial of John Williams, and the petition of sundry of the inhabitants of Surry county; severally endorsed "Read and referred as by the Senate."

Received likewise the resolution of this House directing the public Treasurer to advance the sum therein mentioned to Gotlieb Shober, the report of the committee on the petition of John Simmons, and the report of the committee on the petition of Granbury Sutton; severally endorsed "Concurred with."

Mr. Bloodworth informed the House that the Honourable Richard Caswell, Esq., late Speaker, had departed this life; whereupon, on motion of Mr. Bloodworth, seconded by Mr. Skinner, Charles John-

son, Esq., the Speaker pro tempore was unanimously chosen Speaker.

On motion, Ordered, That the following Message be sent to the House of Commons:

Mr. Speaker and Gentlemen:

This House having received information of the death of the Honourable Richard Caswell, our late Speaker, we propose that a joint committee be appointed to direct and conduct the mode and order of his interment; and have on our part appointed for this purpose, Mr. Blount, Mr. Skinner and Mr. Bloodworth.

Received from the House of Commons a Bill to carry into effect the ordinance of the Convention held at Hillsborough in July, 1788, entitled "An ordinance for establishing a place for holding the future meetings of the General Assembly, and the place of residence of the chief officers of the State; and the bill to prevent the exportation of raw hides, pieces of hides of black cattle, and calf-skins, beaver, racoon and fox furs; each endorsed "Read the first time and passed."

Ordered, That these bills be read; which being read, the former was passed the first, and the latter the second time in this House and returned.

Received also a petition from sundry inhabitants of Halifax county, and a memorial of Frederick Ramcke; each endorsed "Referred to the committee on public bills;" which were read, referred in like manner by this House and returned.

Received likewise a bill for erecting and establishing a town at Hawkins court-house; a bill to repeal part of an act passed at Fayetteville, in 1786, entitled "An Act to impose a duty on all slaves brought into this State by land or water;" and a bill for laying off a town on the lands of John Marriner, in Tyrrell county; severally endorsed "Read the first time and passed."

Ordered, That these bills be read; which being read, the first was passed the second, and the two latter the first time in this House and returned.

Received likewise the bill to release Joseph Stacey, of Montgomery county, from the forfeiture of a recognizance; and the bill for altering the name of James Rousom to that of James Long; each endorsed "Read the second time and passed."

Ordered, That these bills be read; which being read, the first was

passed the second, and the latter the third time in this House and returned.

Received likewise a report of the committee appointed on public bills, endorsed "Concurred with;" which was also concurred with by this House and returned. Also the following message:

Mr. Speaker and Gentlemen:

This House have received the message of yours containing the information of the much to be lamented death of your late Speaker, and concur with your proposition for a committee to direct the mode of his interment, have appointed Mr. Davie, Mr. Stokes, Mr. Blount, Mr. Lock, Mr. Hawkins and Mr. Person, a committee on our part for that purpose.

Adjourned till to-morrow morning 8 o'clock.

The House met according to adjournment.

Mr. Blount, from the committee appointed to conduct and direct the mode and order of burial of the corpse of Hon. Richard Caswell, Esq., late Speaker of this House, delivered in the following, which was unanimously agreed to:

The Clergymen and Doctors precede the Corpse—The Corpse—The Relations of the deceased as chief mourners—The Speakers—The Members of the Senate two and two—The Members of the House of Commons two and two—Governor and Secretary of State—Treasurer and Comptroller—Clerks of the General Assembly—Other persons attending two and two—That the General Assembly go into mourning one month.

The House adjourned until to-morrow morning 10 o'clock.

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THURSDAY, November 12, 1789.

Met according to adjournment.

Received from the House of Commons the following message:

Mr. Speaker and Gentlemen:

We herewith send you an address from the Comptroller, containing a list of papers delivered to the Commissioners appointed to liquidate finally the accounts of this State with the United States; and also sundry papers stating the amount of the certificate debt now due from this State to individuals. We propose that all the said papers, except those last mentioned, be referred to the committee on finance;

and that the papers relating to the certificate debt, be referred to the committee to consider what are the most eligible means to be adopted for the extinction of the certificate debt.

Ordered that the following message be sent to the House of Commons:

Mr. Speaker and Gentlemen:

We agree that the address from the Comptroller, together with the papers accompanying it, stand referred as by you proposed.

Received from the House of Commons a Bill to erect a light-house on Ocacock Island. A bill to repeal part of an act, entitled "An act to explain an act directing the duty of naval-officers and all masters of vessels coming into the ports and inlets of this State." And a bill to extend the civil and military authority of this State to the inhabitants south of French Broad and Holstein rivers. Severally endorsed "Read the first time and passed."

Ordered, That these bills be read; which being read, each was passed the first time and returned.

Received also a petition of Benjamin Sheppard, endorsed "Referred to the committee of claims;" a petition of Thomas Parker, and the claims of John Hill and John Charles; each endorsed "Referred to the committee of propositions and grievances;" which being read, on motion, the first was rejected, and the two latter referred as by the House of Commons and returned.

Mr. Thomas Brown, the member for the county of Bladen, and Mr. John Nesbitt, the member for the county of Iredell, appeared, presented the certificates of their elections, were qualified agreeably to law and took their seats.

Received from the House of Commons the following message:

Mr. Speaker and Gentlemen:

This House propose that the public printer for the ensuing year be ballotted for on Saturday next, at the same time that the Governor and place of holding the next Assembly are to be ballotted for, and we nominate Messrs. Sibley and Howard, and Messrs. Hodge and Wills for that appointment.

Ordered that the following message be sent to the House of Commons:

Mr. Speaker and Gentlemen:

We agree that a public printer be ballotted for on Saturday next, agreeable to your proposition, and approve of your nomination.

Received from the House of Commons a bill to amend an Act, entitled "An act to prevent the obtaining of grants for lands lying in the western parts of this State, to the prejudice of the first enterers, and entered in the land-office lately established for receiving entries of claims of such lands, by an act, entitled an Act for opening the land office for the redemption of specie and other certificates, and discharging the arrears due to the army;" and a bill to enable creditors more easily to recover their debts from joint partners and upon joint notes; each endorsed "Read the first time and passed."

Ordered, That these bills be read; which being read, were passed the first time in this House and returned.

Mr. Carter presented the claims of sundry persons against this State; which were read, referred to the committee of claims and sent to the House of Commons.

Received from the House of Commons a resolution directing that no bill of a private nature be received in either House after Saturday next; which being read, was on motion rejected.

Received also the following message:

Mr. Speaker and Gentlemen:

This House have added Mr. Davie, Mr. Hamilton of Edenton, Mr. Person, Mr. Edward Jones and Mr. Johnston, to the committee appointed to equalize the land tax; Mr. Rhea to the committee on finance, and Mr. Moore to the committee of claims.

Mr. Macon presented the memorial of Lewis Lanier, complaining of an undue election in the county of Anson; which was read, and ordered to be reported on by the committee of privileges and elections.

Received from the House of Commons an account of Nathaniel Allen against this State, endorsed, "Referred to the committee of claims;" which was read, referred in like manner and returned.

Mr. Gowdy moved for leave and presented a bill to incorporate certain persons in every christian church or congregation throughout this State; which was read, passed the first time and sent to the House of Commons.

On motion of Mr. Singleton, seconded by Mr. Berger.

Ordered, That the following message be sent to the House of Commons:

Mr. Speaker and Gentlemen:

We herewith send you the petitions of Robert Gilkey and Jasper

Smith, which we propose shall be reported on by a joint committee, and have appointed for this purpose, on our parts, Mr. Lenoir, Mr. Singleton, and Mr. Sevier.

Mr. Lenoir presented the return of taxable property from the county of Wilkes, which was read and ordered to be sent to the House of Commons.

Mr. Bloodworth moved for leave and presented a Bill to enable Thomas Callender, acting executor of the last will and testament of Parker Quince, late of New Hanover county, dec., and the other persons therein named, to make sale of certain lands and tenements, part of the residuary estate of the said Parker Quince; which was read, passed the first time and sent to the House of Commons.

Received from the House of Commons the following Message:

Mr. Speaker and Gentlemen:

We herewith send you the report of the Commissioners appointed to examine and punch the cash claims and certificates in the Comptroller's office, &c., together with a recommendation of the said Commissioners in favour of the Comptroller; all which we propose referring to a joint committee to report on, and have on our parts appointed Mr. Stokes, Mr. Brown, Mr. Person and Mr. Lock a committee.

Ordered, That the following message be sent to the House of Commons:

Mr. Speaker and Gentlemen:

We agree that the report from the Commissioners appointed to punch the claims and certificates in the Comptroller's office, &c., be referred to a joint committee as by you proposed, and have appointed Mr. Ashe, Mr. Macon and Mr. Graham, to act on the part of this House with the gentlemen by you named.

Received from the House of Commons a bill to establish an university in this State. A bill to amend an act, entitled "An act for establishing courts of law, and for regulating the proceedings therein;" and an other act, entitled "An act for giving an equity jurisdiction to the Superior Courts." And a bill to amend an act, entitled "An act directing the mode of proceeding against the real estates of deceased debtors, where the personal estate is insufficient for the payment of the debts." Severally endorsed "Read the first time and passed."

Ordered, That these bills be read; which being read, were passed the first time in this House and returned.

Received from the House of Commons the followinng message:

Mr. Speaker and Gentlemen:

We herewith send you a message this day received from His Excellency the Governor, together with a letter and an account of expenditures from Abishai Thomas, Esq., one of the Commissioners for liquidating the accounts of this State with the United States, therein referred to; all which we propose referring to the committee of finance to report on.

Ordered, That the following message be sent to the House of Commons:

Mr. Speaker and Gentlemen:

We agree that the message from His Excellency the Governor, together with its enclosures, be referred to the committee of finance as by you proposed.

The House adjourned until to-morrow morning 10 o'clock.

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Friday, November 13, 1789.

The House met according to adjournment.

Mr. Kendall moved for leave and presented a bill to repeal part of an act passed at Tarborough, entitled "An act to enable the county courts to appoint Commissioners to keep open rivers and creeks at their several falls, so far as they think necessary for the passage of fish up the same;" which was read, passed the first time and sent to the House of Commons.

Received from the House of Commons the bill to repeal part of an act, entitled "An act once more to extend an Act, entitled An Act to pardon and consign to oblivion the offences and misconduct of certain persons in the counties of Washington, Sullivan, Greene and Hawkins;" endorsed "Read the second time and passed."

Ordered, That this bill be read; which being read, was passed the third time in this house and returned.

Received also from the House of Commons a resolution directing that the clerks of the committees of claims, and propositions and grievances, advertise from day to day the time and place for meeting of those committees; which was read, concurred with and returned.

Mr. Macon presented the Memorial of Older Neal; which was read, referred to the committee appointed on the petition of Granbury Sutton and sent to the House of Commons.

Received from the House of Commons the following message:

Mr. Speaker and Gentlemen:

We agree that the petitions of Robert Gilkey and Jasper Smith be referred to a special committee of both houses, and have on our parts appointed Mr. Smith, Mr. M'Laine, Mr. Wilson, Mr. Brevard and Mr. M'Dowall.

On motion of Mr. Brown, Ordered, That the following message be sent to the House of Commons:

Mr. Speaker and Gentlemen:

We herewith send you the petition of Mary M'Fall, together with an order of the county court of Bladen relative thereto; which we propose shall be referred to a special committee, to report what relief ought to be given the petitioner, and all others familiarly circumstanced: For this purpose we have appointed Mr. Bloodworth, Mr. Skinner and Mr. Brown.

Received from the House of Commons a petition of James Mebane and John Taylor, a petition of George Hoskins and a petition of John Withers; each endorsed "Referred to the committee of propositions and grievances;" which were read, referred in like manner by this House and returned.

Received also the memorial of Lewis M'Pherson; endorsed "Referred to Mr. Jones, Mr. Stokes, Mr. Smith and Mr. Lock; which being read, was on the part of this House referred to Mr. Ashe, Mr. Gregory and Mr. Skinner, and returned.

Mr. Gregory delivered in the following report:

Your committee of privileges and elections, to whom the memorial of Lewis Lanier was referred, report—That on enquiry had, they find a certificate from the Treasurer that Mr. Thomas Wade, the returned member for the county of Anson, is in arrears to the public on account of his collection of the taxes of said county as late Sheriff. They are therefore of opinion that the said Mr. Wade was not at the time of the election, nor is at this time, eligible to a seat in the present General Assembly. All which is submitted.

ISAAC GREGORY, Ch.

The House taking this report into consideration concurred therewith.

On motion of Mr. Skinner, Ordered, That the following message be sent to the House of Commons:

Mr. Speaker and Gentlemen:

We propose that the committee appointed to report on the petition of Granbury Sutton, do also report on the propriety of erecting a dictinct port in the county of Hyde.

Received from the House of Commons a memorial of James Buller; endorsed "Referred to Mr. Hamilton, Mr. Mebane, Mr. Gillespie and Mr. Johnston;" which being read, was on the part of this House referred to Mr. Macon, Mr. T. Brown and Mr. Graham, and returned.

On motion of Mr. Harget, Ordered, That the following message be sent to the House of Commons:

Mr. Speaker and Gentlemen:

We propose that the balloting heretofore agreed on for a Governor, place at which the next Assembly shall be held, and a public printer, be postponed to a more distant day.

Received from the House of Commons a bill to regulate the practice of physic and surgery; endorsed "Read the first time and passed."

Ordered, That this bill be read; which being read, was passed the first time and returned.

Mr. Graham moved for leave and presented a bill for processioning lands within this State; which was read, passed the first time and sent to the House of Commons.

Received from the House of Commons a bill to amend an Act, entitled "An act concerning proving of wills and granting letters of administration, and to prevent frauds in the management of intestates estates." And a bill to repeal part of an additional act to an act, entitled "An act for the regulation of the town of New Bern and for other purposes," passed the first session of the General Assembly held at Fayetteville; each endorsed "Read the first time and passed."

Ordered, That these bills be read; which being read, were passed the first time and returned.

Mr. Riddick presented the petition of Jonas Hinton; which was read, referred to the committee appointed on the petition of Jasper Smith and sent to the House of Commons.

Received from the House of Commons a petition of James Hogg,

and a petition of sundry of the inhabitants of Salisbury district; each endorsed "Referred to the committee of propositions and grievances;" which being read, the first was on motion withdrawn, and the latter referred as by the House of Commons and returned.

Received also a petition of John Armstrong; endorsed "Referred to the committee of finance;" and the petition of William Brandon, endorsed "Referred to Mr. Lock, Mr. M'Dowall, Mr. Mebane and Mr. P. Hawkins;" which being read, the first was referred as by the House of Commons, and the latter to Mr. Riddick, Mr. Berger and Mr. Dickson, and returned.

Received likewise an account of Charles Hunter, gaoler of Halifax, endorsed "Referred to the committee of claims;" and a memorial of Spruce M'Coy; endorsed "Referred to the committee appointed on the Petition of William Brandon;" which were read, referred as by the House of Commons and returned.

Mr. Berger presented the petition of Joseph Cunningham; which was read, referred to the committee of propositions and grievances and sent to the House of Commons.

Received from the House of Commons the bill to erect a light-house on Ocacock Island; endorsed "Read the second time, amended and passed."

Ordered, That this bill be read; which being read, was passed the second time in this House and returned.

Received also a petition from the Quakers of New-Garden settlement; endorsed "Referred to Mr. Lindley, Mr. Davie, Mr. Ellison and Mr. Hamilton;" also the petition of Jeremiah and Robert Field; endorsed "Referred to Mr. Person, Mr. Lindley, Mr. Spiller and Mr. Peete;" which being read, the first was on the part of the Senate referred to Mr. Gowdy, Mr. T. Brown and Mr. Harget; and the latter to Mr. Gowdy, Mr. Yates and Mr. Winston, and returned.

Received likewise a memorial of Andrew Jackson, and a petition of Joseph Gardner; each endorsed "Referred to the committee of claims:" And a petition of James Greenlee; endorsed "Referred to the committee of propositions and grievances;" which being read, were severally referred as by the House of Commons and returned.

Received likewise from the House of Commons the bill to repeal part of an act, entitled "An act to alter the mode of punishing horse-stealing;" also to repeal an act, entitled "An act to prevent horse-stealing;" endorsed "Read the first time and passed."

Ordered, That this bill be read; which being read, was on motion rejected: Whereupon, the yeas and nays being required by Mr. Lenoir are as follows, viz:

For the passage of the bill—Messieurs. Gregory, Bryan, Amis, Hill Blount, Berger, Kendall, Dickson, Harget, Clinton, Martin, Montgomery, Hodge, Lenoir.—14.

Against the passage of the bill—Messieurs Easton, Wynns, Donaldson, Paine, Lucas, Riddick, Keaton, Yates, Bloodworth, Mayo, Willis, M'Kinnie, Gowdy, Winston, Smith, Benford, Graham, Nesbit, Brown.—19.

On motion, Ordered, That a writ of election issue to the county of Dobbs for the election of a Senator on the 23d and 24th of the present month, to supply the place of the late Honourable Richard Caswell, Esq., whose seat has become vacant by reason of his death. And that a writ also issue to the county of Anson for the election of a Senator on the same days, in the room of Thomas Wade, Esq., whose seat is declared vacant on account of his being a public debtor.

Received from the House of Commons the following message:

Mr. Speaker and Gentlemen:

We herewith send you a message of this day's date from his Excellency the Governor, accompanied with the papers and statements therein referred to, which we propose referring to the committee on finance.

Ordered, That the following message be sent to the House of Commons:

Mr. Speaker and Gentlemen:

The message from His Excellency the Governor of to-day, together with the papers accompanying it, we agree with you in referring to the committee on finance.

Received from the House of Commons the following message:

Mr. Speaker and Gentlemen:

We have added Mr. Benj. Smith to the committee on revenue and the committee to equalize the land-tax.

Received from the House of Commons the following message:

Mr. Speaker and Gentlemen:

We propose that the bill to repeal part of an act, entitled "An act once more to extend an act to pardon and consign to oblivion the offences and misconduct of certain persons in the counties of Wash-

ington, Sullivan, Greene and Hawkins," be referred to a joint committee, who are to examine into the propriety of passing the same and make report thereon; for this purpose we have appointed on our parts Mr. Davie, Mr. Hawkins, Mr. Person, Mr. Spiller and Mr. Hamilton.

Ordered, That the following message be sent to the House of Commons:

Mr. Speaker and Gentlemen:

We have received your message proposing that the propriety of passing the bill to repeal part of an act to pardon and consign to oblivion the offences and misconduct of certain persons in the counties of Washington, Sullivan, Greene and Hawkins, be reported on by a joint committee, to which we cannot agree from these principles, that the bill has already had a third reading in this House, of course its utility is fully investigated, and that now to commit it, would be contrary to all rule heretofore observed.

On motion, Ordered, That Mr. Hill have leave to absent himself from the service of this House for a few days, after to-morrow.

The House adjourned until to-morrow morning 10 o'clock.

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SATURDAY, November 14, 1789.

Met according to adjournment.

Received from the House of Commons a bill to repeal part of an act, entitled "An act for raising a revenue for the support of government, and to repeal an act, entitled An act to suppress excessive gaming," passed at Hillsborough, in April, 1784. A bill for pardoning John Bradley, of the town of Wilmington. A bill to emancipate certain negroes therein mentioned. A bill to alter the present mode of swearing petit jurors in the courts of law in this State. A bill to alter the manner of fining and imprisoning offenders. And a bill to amend an act, entitled "An act to establish in the towns of Washington, Edenton, New Bern and Wilmington, courts for the speedy decision of mercantile transactions with foreigners and transcient persons, and maritime affairs." Severally endorsed "Read the first time and passed."

Ordered, That these bills be read; which being read, were passed the first time in this House and returned.

Received from the House of Commons the following messages:

Mr. Speaker and Gentlemen:

We have received your message proposing to refer the petition of Mary M'Fall to a joint committee who are to report thereon, and what relief is to be given to her as well as to others similarly circumstanced, and we have appointed on our parts Mr. Stewart, of Bladen, Mr. Jones of Wilmington, Mr. Snead, Mr. Spicer and Mr. Dickson.

Mr. Speaker and Gentlemen:

We agree that the propriety of establishing a distinct port in the county of Hyde, be reported on as by you proposed.

Mr. Speaker and Gentlemen:

This House have received the message of yours proposing to postpone the balloting for a Governor, &c., to a more distant day than that before agreed on, with which we cannot concur.

Mr. Speaker and Gentlemen:

We have added Mr. Davie to the committee appointed on the report of the Commissioners appointed to punch the claims and certificates in the Comptroller's office.

Read the claim of Green Duke, of Warren county; Whereupon,

Resolved, That the Comptroller be and he is hereby directed, on application of Green Duke, to make him such allowance for a waggon and team impressed for the use of the public, as shall appear to him in justice he is entitled to.

On motion of Mr. Harget, seconded by Mr. Bloodworth,

Ordered, That the following message be sent to the House of Commons:

Mr. Speaker and Gentlemen:

The resolution of your House directing that all claims to be adjusted at the present Assembly be first introduced before the committee of claims, we return you concurred with.

Received from the House of Commons a bill providing means for the payment of the domestic debt, for appropriating certain monies therein mentioned, and to amend an act passed the last session of the General Assembly, entitled "An act for levying a tax for the support of government, and for the redemption of the old paper currency, continental money and specie and other certificates;" endorsed "Read the first time and passed."

Ordered, That this bill be read; which being read, was passed the first time in this House and returned.

On motion of Mr. Macon, Ordered, That the following message be sent to the House of Commons:

Mr. Speaker and Gentlemen:

We propose that the propriety of dividing the counties of Surry and Mecklenburg, and of annexing part of the county of Iredell to Rowan, and the bill to repeal an act to annex part of the county of Washington to Sullivan, be reported on by the committee appointed on the petition and bill for the division of Hawkins county.

Received from the House of Commons the memorial of Older Neal, endorsed "Referred as by the Senate;" and a bill empowering the several county courts within this State to direct the places where the several offices of their respective counties shall be kept; endorsed "Read the first time and passed."

Ordered, That this bill be read; which being read, was on motion rejected.

Mr. M'Kinnie presented the petition of William Boykin, of Wayne county; which being read,

Ordered, That the following message be sent to the House of Commons:

Mr. Speaker and Gentlemen:

We herewith send you the petition of William Boykin, of Wayne county; which we propose shall be referred to the consideration of a joint committee, who shall report their opinion of the hardships therein set forth, and the relief necessary to be given. For this purpose we have appointed Mr. M'Kinnie, Mr. Bloodworth, Mr. Gregory and Mr. A. Bryan.

Received from the House of Commons a bill for defraying the expences of an expedition carried on against the Indians, endorsed "Read the first time and passed."

Ordered, That this bill be read; which being read, was passed the first time and returned.

On motion of Mr. Bloodworth, Ordered, That the following message be sent to the House of Commons:

Mr. Speaker and Gentlemen:

Mr. Skinner and Mr. Lenoir will on the part of this House superintend the balloting heretofore agreed on.

Received from the House of Commons a bill to empower certain persons therein named to receive, sue for and recover all such bequests, donations, benefactions and other things, as have heretofore been bequeathed, given or made by any person or persons whatsoever, for the use of the congregation or society of the Episcopal communion of New Bern; endorsed "Read the first time and passed." And the bill to prevent the exportation of raw hides, pieces of hides of neat cattle, and calf-skins, beaver, racoon and fox furs, endorsed "Read the second time and passed."

Ordered, That these bills be read; which being read, the former was passed the first, and the latter the third time in this house and returned.

Mr. Galloway moved for leave and presented a bill for adding Randolph county to Salisbury district, and Rockingham county to Hillsborough district; which was read, passed the first time and sent to the House of Commons.

Mr. Riddick presented the return of taxable property for the county of Gates, for the years 1788 and 1789, which was ordered to be sent to the House of Commons.

Received from the House of Commons a bill to empower the wardens of the poor for the county of Currituck to lay a tax, to enable them to settle the arrears due from said county to persons who have supported the poor; and the bill to enable Thomas Calendar, acting executor of the last will of Parker Quince, late of New Hanover county, deceased, and the other persons therein named, to make sale of certain lands and tenements, part of the residuary estate of the said Parker Quince; each endorsed "Read the first time and passed."

Ordered, That these bills be read; which being read, the former was passed the first, and the latter the second time in this House and returned.

Mr. Willis moved for leave and presented a bill to authorise the county courts in this State to annually elect a certain number of Justices in each county to attend the business thereof, and to constitute a quorum in each county, and to impeach and try all officers guilty of misdemeanors in office under their appointment; which was read, passed the first time and sent to the House of Commons.

Received from the House of Commons a bill to alter and amend an act of the General Assembly, passed in the year 1784, entitled "An act to prevent the exportation of unmerchantable commodities."

A bill to annex part of Burke county to the county of Wilkes. A bill to vest certain lands therein mentioned in the Monthly Meeting of the people called Quakers, of New-Garden, in Guilford county. A bill for granting a longer time for surveying of certain lands. And a bill for empowering the several county courts within this State to appoint patrolls, and directing their duty in office. Severally endorsed "Read the first time and passed."

Ordered, That these bills be read; which being read, were passed the first time in this House and returned.

Received also the following message:

Mr. Speaker and Gentlemen:

We agree that the propriety of dividing the counties of Surry and Mecklenburg, and of annexing part of the county of Iredell to Rowan, and the bill to repeal an act to annex part of the county of Washington to Sullivan, be reported on as by you proposed.

The House adjourned until 4 o'clock p. m.

Met according to adjournment.

On motion of Mr. Blount, Ordered, That the following message be sent to the House of commons:

Mr. Speaker and Gentlemen:

We are now ready to proceed on the balloting, and propose that the superintendants wait on those members who from indisposition cannot attend, in order to receive their votes.

Received from the House of Commons the following messages:

Mr. Speaker and Gentlemen:

This House have appointed on their part Mr. Thomas Blount and Mr. Sanders to superintend the balloting this evening for a Governor, &c.

Mr. Speaker and Gentlemen:

We have rejected the resolution of your House in favour of Green Duke, because we thought it not sufficiently explicit; and have adopted the one herewith sent for your concurrence on the same subject.

The resolution above alluded to being read, was concurred with and returned.

Received also a report of the committee, and the resolution of the House of Commons entered into in consequence thereof in favour of William Brandon, of Rowan county, endorsed "Concurred with;"

which being read, each was concurred with by this House and returned.

Received from the House of Commons the following messages:

Mr. Speaker and Gentlemen:

We have received your message, accompanied by the petition of William Boykin, and agree that the same be referred to a joint committee, and have on our parts appointed Mr. Davie, Mr. M'Dowall, Mr. Jones, Mr. Person, Mr. Spiller and Mr. Hamilton of Edenton.

Mr. Speaker and Gentlemen:

This House are also ready to proceed to ballot immediately for the Governor, &c., and consent that the sick absent members be waited on by the Superintendants, in order to receive their ballots; the superintendants on our part attend you herewith for that purpose.

Adjourned till Monday morning 10 o'clock.

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Monday, November 16, 1789.

The House met according to adjournment.

Mr. Lenoir and Mr. Skinner, from the joint balloting for a Governor, &c., delivered in the following report: They having executed the business of their appointment, they find, on casting up the scrolls, that Samuel Johnston, Esq., is elected Governor of this State for the ensuing years, by a large majority—That Messrs. Hodge and Wills are appointed public printers, and that no place appeared to have a majority for the meeting of the next Assembly.

The House taking this report into consideration concurred therewith.

Mr. Bloodworth presented the petition of Henry Emanuel Lutterloh, which was read and ordered to be sent to the House of Commons.

On motion of Mr. Bloodworth, Ordered, That the following message be sent to the House of Commons:

Mr. Speaker and Gentlemen:

This being the day fixed for the meeting of the Convention, we propose that the two Houses adjourn until Thursday next in order to forward that business.

On motion of Mr. Blount, seconded by Mr. Bloodworth,

Ordered, That the following message be sent to the House of Commons:

Mr. Speaker and Gentlemen:

We propose that two members from each House be appointed to wait on and inform Samuel Johnston, Esq., of his late appointment of Governor of the State, and request information when it will be convenient for him to attend and take the oaths of qualification; for this purpose we have on our parts appointed Mr. Lenoir and Mr. Brown.

Received from the House of Commons the following message:

Mr. Speaker and Gentlemen:

We have received your message proposing that the two Houses adjourn till Thursday next, in order that the Convention may meet; we cannot agree to this proposition believing it would be more eligible for the Assembly to adjourn from two days to two days, and therefore propose in lieu thereof that the two Houses adjourn to Wednesday next.

Ordered, That the following message be sent to the House of Commons:

Mr. Speaker and Gentlemen:

We agree that the two Houses adjourn till Wednesday next, agreeable to your proposition.

Mr. Carter presented the petition of Andrew Greer; which was read, referred to the committee of propositions and grievances and sent to the House of Commons.

Received from the House of Commons a resignation of James Farr, First Major of the regiment of militia in Anson county; and a resignation of Alexander Mebane, Esq., Justice of the Peace in the county of Orange; and the resignation of James Ford, Justice of the Peace in the county of Tennessee; each endorsed "Accepted;" which being read, were also accepted by this House and returned.

Received also a report of the committee appointed on the petition of Lewis M'Pherson, endorsed "Concurred with;" which was read, concurred with by this House and returned.

The House adjourned until Wednesday morning 9 o'clock.

WEDNESDAY, November 18, 1789.

The House met according to adjournment.

Ordered, That the following messages be sent to the House of Commons:

Mr. Speaker and Gentlemen:

We propose that the two Houses adjourn till Friday next at nine o'clock in order that the business of the Convention may be proceeded on.

Mr. Speaker and Gentlemen:

We propose that the petition for the division of Surry county, together with the plan of the said county herewith sent you, be referred to the committee appointed on the bill for dividing Hawkins county, and that they report their opinion as to the propriety of dividing the first mentioned county. We have added Mr. Skinner and Mr. Overton to this committee.

Mr. Overton presented the resignation of Wm. Seals, a Justice of the Peace for the county of Moore; which was read, accepted of and sent to the House of Commons.

Mr. Winston presented the resignation of Jesse Bump, Justice of the Peace for the county of Surry; which was accepted of and sent to the House of Commons.

Mr. Hill moved for leave and presented a bill to empower the wardens of the poor for the county of Franklin to build a house or houses for the reception of the poor; which was read, passed the first time and sent to the House of Commons.

On motion of Mr. Bloodworth, Ordered, That Mr. Yates have leave to absent himself from the service of this House during the present session.

On motion of Mr. Dickson, Ordered, That the following messages be sent to the House of Commons:

Mr. Speaker and Gentlemen:

We have added Mr. Graham to the committee on revenue and for equalizing the land tax.

Mr. Speaker and Gentlemen:

The report of the committee on the memorial of Daniel Williams herewith sent you we propose shall be committed, and that the committee be directed to report the most eligible plan in their opinions,

for the relief of all circumstanced in like manner with Capt. Williams.

Received from the House of Commons the following message:

Mr. Speaker and Gentlemen:

We have received the message of your House proposing that the General Assembly adjourn till Friday next, with which we concur.

On motion of Mr. Blount, Ordered, That Mr. Harget be added to the committee for equalizing the land tax, and that the following message be sent to the House of Commons:

Mr. Speaker and Gentlemen:

We have added Mr. Harget to the committee for equalizing the land tax.

The House adjourned until Friday morning 9 o'clock.

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FRIDAY, November 20, 1789.

The House met according to adjournment.

Received from the House of Commons a petition of sundry people in Caswell county, endorsed "Referred to the committee appointed on the bill and petition for the division of Surry county;" and a petition of John Taylor and others, endorsed "Referred to the committee of propositions and grievances;" which being read, each was referred as by the House of Commons and returned.

Received also a petition of George Doherty, a petition of John M'Carrell, a petition of John and Thomas Blount, a petition of William Dudley, a petition of John Barrington, and a claim of Dr. Wm. M'Clure; severally endorsed "Referred to the committee of claims;" which were read, referred in like manner and returned.

On motion of Mr. Macon, Ordered, That the following message be sent to the House of Commons:

Mr. Speaker and Gentlemen:

It is our opinion that the two Houses adjourn till Monday morning nine o'clock, in order that the business of the Convention may be completed.

Received from the House of Commons a memorial of John Whitaker, Esq., a petition of John Shankle, a petition of John Smallwood, a petition of Patrick Travers and a petition of George Hooper and others; respectively endorsed "Referred to the committee of propo-

sitions and grievances;" which being read, was severally referred as by the House of Commons.

Received also a petition of John Elliot, endorsed "Referred to the committee of propositions and grievances;" a petition of Benjamin Sheppard, endorsed "Referred to the committee of claims;" and a petition of the inhabitants of Leesburg, endorsed "Referred to the committee appointed on the petition for the division of Hawkins county;" which being read, each was referred as by the House of Commons and returned.

Mr. Carter presented the memorial of John Sevier, Esq., relative to Indian treaties; which was read, referred to the committee appointed on Indian affairs and sent to the House of Commons.

Received from the House of Commons the following message:

Mr. Speaker and Gentlemen:

We agree that the two members from each House of the Legislature wait on Hon. Samuel Johnston, Esq., and acquaint him with his election to the chief magistracy of this State, and request to know of him when it will be convenient to him to attend and take the oaths of qualification; and have for this purpose on our parts appointed Mr. Hamilton and Mr. Person.

Received from the House of Commons a resolution directing that the members of Assembly who have attended at this place as members of the Convention, shall not be allowed for travelling and attending otherwise than as members of the Assembly, and not for both; and that those who are members of the Convention only shall be allowed according to the resolution of the late Assembly for calling a Convention; which was read, concurred with and returned.

Received also the following message:

Mr. Speaker and Gentlemen:

We cannot concur with your proposition for an adjournment till Monday next, but propose that the two Houses adjourn to to-morrow morning seven o'clock.

Mr. Ashe presented the memorial of John Eaton; which was read, referred to the committee of propositions and grievances and sent to the House of Commons.

Received from the House of Commons a petition of Marmaduke Maples, and a petition of Alexander Outlaw; the first endorsed "Referred to the committee of propositions and grievances," and the lat-

ter "To the committee of claims;" which being read, each was on motion, ordered to lie on the table for further consideration.

Mr. Bloodworth presented the petition of Peter Mallet and Erick Lallerstead; which was read, referred to the committee appointed on the petition of Lewis M'Pherson, and sent to the House of Commons.

On motion of Mr. Galloway, Ordered, That the following message be sent to the House of Commons:

Mr. Speaker and Gentlemen:

We propose that the two Houses assemble on Tuesday next at 12 o'clock, in the room where the House of Commons sit, in order to receive Samuel Johnston, Esq., and administer the necessary oaths of qualification previous to his entering on the duties of his late appointment; should this proposition meet your approbation, Mr. Lenoir and Mr. Brown will on the part of this House, wait on and conduct Mr. Johnston into the presence of the General Assembly.

The House adjourned until to-morrow morning 7 o'clock.

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SATURDAY, November 21, 1789.

Met according to adjournment.

Mr. Payne presented the memorial of Demsey Moore, which was read, referred to the committee of propositions and grievances and sent to the House of Commons.

Received from the House of Commons the petition of Cosimo Medice, and a petition of Thomas Viverett; each endorsed "Referred to the committee of propositions and grievances;" also a memorial and petition of Thomas Horsey, endorsed "Referred to Mr. Hawkins, Mr. Person, Mr. Hamilton, Mr. Lock and Mr. Jones;" which being read, the two first were referred as by the House of Commons, and the latter to Mr. Riddick and Mr. Easton and returned.

Mr. Gillespie presented the petition of John Murphy; which was read, referred to the committee of propositions and grievances and sent to the House of Commons.

Received from the House of Commons a petition of Henry Smaw, and a petition of James Bonner; each endorsed "Referred to the committee of propositions and grievances." Also a petition of Benja-

min Jones endorsed "Referred to the committee appointed on the petition of L. M'Pherson;" which being read, were severally referred as by the House of Commons and returned.

Mr. Skinner presented the petition from a number of the inhabitants of Tyrrel county; which was read, referred to the committee appointed on the bill for dividing Hawkins county and sent to the House of Commons.

On motion of Mr. Bloodworth, Ordered, That the following message be sent to the House of Commons:

Mr. Speaker and Gentlemen:

It is the opinion of this House that the General Assembly adjourn till Monday next, in order that the business of the Convention may be compleated.

Received from the House of Commons the following message:

Mr. Speaker and Gentlemen:

We herewith send you a bill for dividing the county of Greene, which we propose referring to the committee appointed to take under consideration the bill and petition for dividing the county of Hawkins.

Ordered, That the following message be sent to the House of Commons:

Mr. Speaker and Gentlemen:

We agree that the bill for dividing Greene county shall be referred to the committee appointed on the petition and bill for a division of Hawkins county agreeable to your proposition.

Received from the House of Commons a petition of William Morrison, and a petition of Samuel Westray; each endorsed "Referred to the committee of propositions and grievances;" which were read, referred in like manner and returned.

Received also a bill to repeal part of an act, entitled "An act to regulate and ascertain the several officers fees therein mentioned, and for altering the times of holding courts of law and equity for the districts of Halifax, Edenton, New Bern and Wilmington," passed at New Bern in October, 1784. And a bill to confirm the marriage of James Richard, of Brunswick county, planter, with Nancy Richard, otherwise Neale;" each endorsed "Read the first time and passed."

Ordered, That these bills be read; which being read, the former

was passed the first time in this House and returned, and the latter, on motion, was rejected.

On motion of Mr. Macon, Ordered, That the following message be sent to the House of Commons:

Mr. Speaker and Gentlemen:

It is the sense of this House that the General Assembly proceed to ballot on Tuesday next at 4 o'clock in the afternoon, for a Council of State, public Treasurer, and place at which the next Assembly shall be held; and nominate for Councillors, James Iredell, John Mare, W. Hill, Dempsey Conner, W. Littlejohn, Allen Jones, Josiah Collins, John Stokes, W. Borritz, Thomas Eaton, James Armstrong, W. M'Kenzie and Isaac Gregory, Esquires—for public Treasurer, John Haywood, Esq.,—and for the place at which the next Assembly shall be held, the towns of Tarborough, Fayetteville and Nashville.

Mr. Willis presented the resignations of Thomas Blount and James M'Neil, two of the Justices of the Peace in the county of Robeson; which were accepted and sent to the House of Commons.

Mr. Mayo presented the resignations of John Ross and Edward Smithwick, Justices of the Peace for the county of Martin; which were read, accepted and sent to the House of Commons.

Received from the House of Commons the following message:

Mr. Speaker and Gentlemen:

We consent that the two houses adjourn to Monday next as by you proposed.

Received also the resignation of David Shelton, Justice of the Peace for the county of Caswell, endorsed "Accepted;" which was read, accepted by this House and returned.

Ordered, That the following message be sent to the House of Commons:.

Mr. Speaker and Gentlemen:

We have added Mr. Macon to the committee on the bill and petition for the division of Hawkins county.

The House adjourned until Monday morning 9 o'clock.

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MONDAY, November 23, 1789.

The House met according to adjournment.

Received from the House of Commons the following message:

Mr. Speaker and Gentlemen:

This House have received your message, proposing that the two Houses assemble on Tuesday next at 12 o'clock, in the Commons room, in order to receive the Hon. Samuel Johnston, Esq., to be qualified by taking the necessary oaths, for taking upon himself the exercise of the office of Governor of this State. We have on our parts appointed Mr. Davie and Mr. Smith to wait on him, and acquaint him that the General Assembly will them receive him for the above purpose.

On motion of Mr. Galloway, seconded by Mr. Macon,

Ordered, That the following message be sent to the House of Commons:

We herewith send you the petition of James Malloy, which we have referred to the committee appointed on the petition of Capt. Daniel Williams; and propose that the committee be instructed to report what relief ought to be given the petitioner, as well as all others holding like demands against the State.

Mr. Gregory presented the memorial of Charles Dukes, of Camden county; which was read, referred to the committee of propositions and grievances and sent to the House of Commons.

Adjourned till to-morrow morning 10 o'clock.

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TUESDAY, November 24, 1789.

The House met according to adjournment.

Mr. Brown presented the petition of William Smith, of Bladen county; which was read, referred to the committee appointed on the petition of Capt. Daniel Williams and sent to the House of Commons.

Received from the House of Commons the following message:

Mr. Speaker and Gentlemen:

We herewith send you a message this day received from his Excellency, inclosing papers from the Chief of the Creek nation and others, together with the papers therein referred to, which we propose referring to the committee on Indian affairs.

Ordered, That the following message be sent to the House of Commons:

Mr. Speaker and Gentlemen:

The message from His Excellency the Governor of to-day, letter from the Chief of the Cherokee nation, and other papers accompanying them, we agree with you in referring to the committee on Indian affairs.

Received from the House of Commons the following message:

Mr. Speaker and Gentlemen:

We have received the message of your House proposing to ballot to-morrow at 4 o'clock for a Council of State, public Treasurer, and the place at which the next Assembly shall be held, with which we do not concur, but propose that the balloting be postponed to a future day.

Received from the House of Commons a representation of the Judges of the superior court of law in this State; endorsed "Referred to Mr. Davie, Mr. Person, Mr. Lock, Mr. Stokes and Mr. M'Dowall;" which was read, referred on the part of this house to Mr. Galloway, Mr. Wynns and Mr. Brown and returned.

Mr. Ashe presented the memorial of Nicholas Long, relative to a purchase of confiscated property made in behalf of himself and sundry others, officers in the late Continental line of this State; which was read, referred to the committee appointed on the memorial of the Honourable the Judges, and sent to the House of Commons.

Mr. Bloodworth presented the petition of Sarah Dupree, of Brunswick county; which was read, referred to the committee of claims and sent to the house of commons.

Mr. Brown presented the resignation of Stephen Andrews, as First Major of the regiment of Militia in the county of Bladen; which was read, accepted and sent to the House of Commons.

Received also the following message:

Mr. Speaker and Gentlemen:

We herewith send you the petition of sundry the inhabitants south of French Broad river, which we propose referring to the committee on Indian affairs; and have added to this committee Mr. Davie, Mr. Stokes and Mr. M'Dowall.

Ordered, That the following message be sent to the House of Commons:

Mr. Speaker and Gentlemen:

We consent that the petition from a number of the people living south of the French Broad river, be referred as by you proposed, and have added General Martin to the committee on Indian affairs.

Mr. Galloway moved for leave and presented a bill for cutting a navigable canal from the waters of Pasquotank river, in this State, to the waters of Elizabeth river in the State of Virginia; which was read, passed the first time and sent to the House of Commons.

Received from the House of Commons the following Message:

Mr. Speaker and Gentlemen:

We propose that the qualification of the Governor be postponed till Monday next, and that on Thursday next at 4 o'clock, P. M. the two houses shall proceed to ballot for two Senators to represent this State in the Congress of the United States. We also propose that a committee be appointed from both Houses to prepare and introduce a bill for ascertaining the manner, places and times of electing Representatives of this State in the Congress of the United States; for this purpose we have on our parts appointed Mr. Rice, Mr. Rhea, Mr. M'Dowall, Mr. Stokes, Mr. Person, Mr. Davie, Mr. Hamilton of Edenton, Mr. Armstrong, Mr. Smith and Mr. Spiller.

We nominate for Senators the Hon. Samuel Johnston, Esq., Benjamin Hawkins, James White, Joseph M'Dowall, Timothy Bloodworth, Thomas Person, William Blount, The Hon. John Williams, William Lenoir, John Stokes, Richard Dobbs Spaight, William Polk, Esquires.

We propose further that at the same time the two Houses proceed to ballot for the place at which the next Assembly shall be held, and approve of the nomination made by the Senate in their last message on this subject.

Ordered, That the following message be sent to the House of Commons:

Mr. Speaker and Gentlemen:

We agree that the General Assembly ballot on Thursday next for the place at which the next Assembly shall be held and two persons to represent this State as Senators in the Congress of the United States, and approve of your nominations. We also consent that a committee be appointed to prepare and introduce a bill for ascer-

taining the manner, places and times of electing Representatives for this State in the Congress of the United States, and have appointed Mr. Skinner, Mr. Bloodworth, Mr. Blount, Mr. Dickson and Mr. Galloway, to act on the part of this House with the gentlemen by you named for this purpose.

On motion of Mr. Blount, seconded by Mr. Skinner,

Resolved, That this House attend in procession the burial of Mr. Etheldred Gray, who departed this life last night, in the order that they attended that of their late Speaker.

Ordered, That the following message, with the foregoing resolution, be sent to the House of Commons:

Mr. Speaker and Gentlemen:

We herewith send for your concurrence a resolution relative to the death of Mr. Etheldred Gray, late a member of this House.

Mr. Harget, from the committee to whom was referred the petition of John Blair, John Gillespie and others, delivered in the following report:—That it is the opinion of your committee that a bill be brought in and passed into a law to empower James Billingsby to execute deeds of conveyance to the petitioners, agreeable to the power of attorney given him by William Rea, dec., which power the testator recognized by his last will and testament. Which is submitted. F. HARGET, Ch.

The House taking this report into consideration concurred therewith: Whereupon,

Mr. Harget moved for leave and presented a bill to authorize and empower James Billingsby to execute a deed or deeds of conveyance, agreeable to a power of attorney in the last will and testament of William Rea, late of Guilford county, dec.; which was read, passed the first time and sent to the House of Commons.

Received from the House of Commons a resolution directing the public Treasurer and Comptroller to lay before this Assembly a list of balances due the public from individuals; and a resolution relative to allowances to be made the members of Convention from the district of Mero; both of which were concurred with and returned.

Received from the House of Commons the following message:

Mr. Speaker and Gentlemen:

We concur with your resolution relative to attending the burial of Mr. Etheldred Gray, late a member of your House.

Received likewise the petition from sundry the inhabitants of Tyrrel county, the memorial of John Eaton, the petition of Andrew Greer, the memorial of John Sevier, Esq., the memorial of Dempcey Moore, the petition of John Murphy, and the petition of John Elliot; severally endorsed "Read and referred as by the Senate."

Ordered, That the following message be sent to the House of Commons:

Mr. Speaker and Gentlemen:

We have appointed Mr. Brown and Mr. Lenoir to wait on and inform the Hon. Samuel Johnston, Esq., that the time appointed for his qualification as Governor of this State, is postponed till Monday next.

Received from the House of Commons the following message:

Mr. Speaker and Gentlemen:

Mr. Smith and Mr. M'Dowall are appointed by this House to wait on the Hon. Samuel Johnston, Esq., and acquaint him of the postponement of the time of his qualification till Monday next.

Received also a bill to ratify the amendments to the Constitution of the United States; and a bill to form part of the militia of Rowan county into a separate battalion; each endorsed "Read the first time and passed."

Ordered, That these bills be read; which being read, were passed the first time in this House and returned.

Received also the following message:

Mr. Speaker and Gentlemen:

We propose that the committee of propositions and grievances be directed to-morrow morning to report their names to the Assembly, having first divided themselves into two distinct committees No. 1 and 2, to be confirmed by the two Houses—That the committee No. 1 shall retain all papers already referred to them, and No. 2 to pass upon all papers that may be hereafter referred to them.

Ordered, That the following message be sent to the House of Commons:

Mr. Speaker and Gentlemen:

We agree that the number of members now in the committee of propositions and grievances be made known to the Assembly to-morrow morning, and that a division of them take place. We also agree

that No. 1 of this committee report on all the papers now before them, and that all hereafter referred be reported on by No. 2.

Adjourned till to-morrow morning 10 o'clock.

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WEDNESDAY, November 25, 1789.

The House met according to adjournment.

Mr. Skinner informed that the Hon. Charles Johnson, Esq., Speaker of this House, from indisposition, is unable to attend the duties of the chair; whereupon it was proposed, that a Speaker pro tempore be appointed, and on motion, John B. Ashe, Esq., was unanimously chosen.

Received from the House of Commons the bill for erecting and establishing a town at Hawkins court house; endorsed "Read the second time and passed." A bill directing the manner of issuing process in sundry cases arising in the Superior Courts of law and courts of equity, to direct the manner of proceeding on assigned or endorsed bills, bonds and notes under seal; to direct how joint obligations shall survive; and to repeal an act for calling forth the militia to assist in executing civil process. A bill directing the sale of the salt-licks and springs within the district of Mero. And a bill to repeal the fifty-sixth section of an act passed at Newbern in the year 1777, entitled "An act for establishing courts of law and regulating the proceedings therein." Each endorsed "Read the first time and passed."

Ordered, That these bills be read; which being read, the first was passed the third, and the three latter the first time in this House and returned.

Mr. Willis presented the memorial of John Cade and Sampson Bridgers, of the county of Robeson; which was read, referred to the committee of propositions and grievances, and sent to the House of Commons.

Received from the House of Commons a petition of Thomas Benbury, Collector of Port Roanoke; endorsed "Referred to the committee on Finance;" which was read, referred in like manner and returned.

Received likewise a bill to repeal part of an act passed at Tarborough, entitled "An act to enable the county courts to appoint commissioners to keep open rivers and creeks at their several falls so far

as they think necessary for the passage of fish up the same." And a bill to allow merchants and others who import salt into this State a drawback on cargoes in the impost duty; each endorsed "Read the first time and passed."

Ordered, That these bill be read; which being read, each was on motion rejected.

Ordered, That the following message be sent to the House of Commons:

Mr. Speaker and Gentlemen:

We propose that a joint committee be appointed to report on the utility of the bill for processioning lands herewith sent you, and if they think necessary to prepare and introduce a bill for this purpose, Mr. Harget, Mr. Graham and Mr. Lenoir will on the part of this House act with such gentlemen as you may appoint. We also propose that the bill and petition for adding part of Bladen to Cumberland, be reported on by the committee appointed on the bill for dividing Hawkins county.

Received from the House of Commons a bill to amend an act, entitled "An act concerning proving of wills and granting letters of administration; and to prevent frauds in the management of intestates estates; endorsed "Read the second time, amended and passed."

Ordered, That this bill be read; which being read, was amended, passed the second time in this House and returned.

Mr. M'Allister presented the account of Neil Ray, of Cumberland county; which was read, referred to the committee of claims, and sent to the House of Commons.

Received from the House of Commons the following messages:

Mr. Speaker and Gentlemen:

We have received your message proposing to commit the report on the petition of Daniel Williams, &c., with which we concur.

Mr. Speaker and Gentlemen:

We have received the message of your House referring the petition of James Mulloy to the committee appointed on the petition of Daniel Williams, and directing that committee to report what relief ought to be granted to other persons holding demands of the like nature, with which we concur.

On motion of Mr. M'Dowall, seconded by Mr. Bloodworth, Ordered, That the following message be sent to the House of Commons:

Mr. Speaker and Gentlemen:

We have appointed Mr. Harget, Mr. Bloodworth and Mr. Willis on the part of this House, who will act with such gentlemen as you may make choice of, for the purpose of amending the bill herewith sent you, to authorise the county courts in this State annually to elect a certain number of Justices in each county to attend the business thereof, &c., provided it should be their opinion such a bill is necessary.

Received from the House of Commons the bill to amend an act, directing the mode of proceeding against the real estates of deceased debtors where the personal estate is insufficient for the payment of the debts; endorsed "Read the second time and passed."

Ordered, That this bill be read; which being read, was passed the second time and returned.

Mr. Sevier moved for leave and presented a bill for appointing commissioners in the county of Greene, for building a court-house, prison and stocks in said county, and for levying tax for defraying the expenses thereof; which was read, passed the first time and sent to the House of Commons.

Mr. Carter presented the memorial of William Houston; which was read, referred to the committee of propositions and grievances, and sent to the House of Commons.

On motion of Mr. Macon, Resolved, That no bill of a private nature shall be received in either House after Saturday next. Sent for concurrence.

Received from the House of Commons a bill to amend an act, entitled "An act to make certain securities negociable;" and a bill to establish a public inspection of tobacco in the town of Clarksville, in the county of Tennesse; each endorsed "Read the first time and passed." Also a bill to alter the manner of fining and imprisoning offenders, endorsed "Read the second time and passed."

Ordered, That these bills be read; which being read, the two first were passed the first time in this House and returned, and the latter on motion rejected.

Mr. Smith presented the memorial of Thomas Evans, late Commandant of the western battalion; which was read, referred on the part of this House to Mr. Brown, Mr. Lenoir, Mr. M'Dowall and Mr. Martin, and sent to the House of Commons.

Mr. Hill presented the petition of sundry persons, officers in the

late continental line of this State, relative to arrearages of pay; which was read and referred to Mr. Thomas Brown and Mr. C. M'Dowall.

Received from the House of Commons the following messages:

Mr. Speaker and Gentlemen:

We herewith send you a letter from the Treasurer, with the several papers therein referred to, all of which, excepting those relative to the recognizances of Brice and M'Neill, we propose submitting to the consideration of the committee on finance; the papers relative to Brice and M'Neil we propose shall be submitted to a joint committee; for this purpose we have appointed on our parts Mr. Davie, Mr. M'Dowall and Mr. Hamilton of Edenton.

Ordered, That the following message be sent to the House of Commons:

Mr. Speaker and Gentlemen:

The letter from the Treasurer and papers accompanying it we agree shall stand referred as by you proposed, and have appointed Mr. Blount and Mr. Skinner to act with the gentlemen by you named to report on the papers relative to Brice and M'Neil.

Received from the House of Commons a letter from John Steele, Esq., and his account with this State as late Indian Commissioner, endorsed "Referred to the committee on Indian affairs;" which was read, referred in like manner and returned.

Received from the House of Commons the following message:

Mr. Speaker and Gentlemen:

We herewith send you a message this day received from his Excellency the Governor respecting the sales of the public tobacco, and also another message accompanied with several communications from the Commissioners appointed to settle the accounts of this State with the United State; all these papers we propose referring to the committee on finance, except the letter from Hugh Williamson, Esq., respecting the procuring of vouchers for the service of the eighteen months regiments and of the waggons furnished by this State for the use of the United States, which we wish to lie for consideration, until a bill now preparing on the subject of that letter be brought forward.

The foregoing being read, Ordered, That the following message be sent to the House of Commons:

Mr. Speaker and Gentlemen:

We agree to the references by you made of the messages from his

Excellency the Governor of to-day; also that the letter from Hugh Williamson, Esq., lie on the table for the reasons by you mentioned.

Mr. Blount presented the petition of John Arnold; which was read, referred to the committee of claims and sent to the House of Commons.

Mr. Skinner moved for leave and presented a bill granting to the inhabitants of Tyrrel county the privilege of separate elections for members of Assembly; which was read, passed the first time and sent to the House of Commons.

Received from the House of Commons a petition of W. Meredith, and a petition of Andrew Bass; each endorsed "Referred to the committee of propositions and grievances;" which were read, referred in like manner and returned.

Received also a bill to incorporate the tradesmen and manufacturers of the towns of Edenton, New Bern, Wilmington, Halifax and Washington. A bill to establish the lines of a certain tract of land granted unto Charles Gerard. And a bill for adding part of New Hanover county to Sampson county. Each endorsed "Read the first time and passed."

Ordered, That these bills be read; which being read, the two first were passed the first time in this House and returned, and the latter on motion rejected.

Mr. Blount who had leave to withdraw for amendment the bill to establish an inspection of pork, beef and naval stores at Bryan's Ferry, on Neuse river, in Craven county, delivered in the same with the amendments; which was read, passed the first time and sent to the House of Commons.

Received from the House of Commons the bill to authorise and empower James Billingsby to execute a deed or deeds of conveyance agreeable to a power of attorney, in the last will and testament of William Rea, late of Guilford county, deceased; endorsed "Read the first time and passed." And the bill for laying out a town on the lands of John Marriner in Tyrrell county; endorsed "Read the second time and passed."

Ordered, That these bills be read; which being read, were passed the second time in this House and returned.

Received from the House of Commons the following message:

Mr. Speaker and Gentlemen:

We propose that the bill providing means for the payment of the

domestic debt, for appropriating certain monies therein mentioned, &c., be referred to the committee to report the mode most eligible to be adopted for the extinction of the certificate debt, and that they be directed to report thereon at as early a day as possible.

Ordered, That the following message be sent to the House of Commons:

Mr. Speaker and Gentlemen:

We agree that the bill providing means for the payment of the domestic debt shall be referred to the committee to report the mode most proper to be adopted for the extinction of the certificate debt; and that they report at as early a day as possible.

Received from the House of Commons the following message:

Mr. Speaker and Gentlemen:

We have added Mr. Davie and Mr. M'Laine to the committee appointed on the petition of L. M'Pherson. We propose that the petition of Dr. Frederick Ramcke, which is at present referred to the committee on public bills, be referred to this committee.

Ordered, That the following message be sent to the House of Commons:

Mr. Speaker and Gentlemen:

We agree that the petition of Dr. Frederick Ramcke be reported on by the committee appointed on the petition of Lewis M'Pherson as by you proposed.

The House adjourned until to-morrow morning 9 o'clock.

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THURSDAY, November 26, 1789.

The House met according to adjournment.

On motion of Mr. Macon, Ordered, That the following message be sent to the House of Commons:

Mr. Speaker and Gentlemen:

We have added Mr. Hill to the committee of propositions and grievances, and Mr. M'Dowall to the committee on Indian affairs.

Mr. Easton presented the petition of Jane Sheppard, of Carteret county; which was read, referred to the committee of propositions and grievances, and sent to the House of Commons.

Received from the House of Commons a bill to invest an indefeas-

ible right of inheritance in Charles, Alley and Prudence Oggs, of the county of Pasquotank, of such property as was bequeathed to them and their deceased brother Jesse Oggs; and a bill for procuring testimony concerning the accounts of this State and the United States; each endorsed "Read the first time and passed." And a bill for establishing an university in this State, endorsed "Read the second time and passed."

Ordered, That these bills be read; which being read, the two former were passed the first, and the latter the second time in this House, and returned.

Mr. Harget moved for leave and presented a bill to amend an act, entield "An act for directing the method of appointing jurors in all causes civil and criminal," passed at Halifax in the year 1779; which was read, passed the first time and sent to the House of Commons.

Received from the House of Commons the following message:

Mr. Speaker and Gentlemen:

This House at the particular request of Mr. Stokes and Mr. Joseph M'Dowall have withdrawn their names from the nomination of Senators in the Congress of the United States.

Mr. Graham moved for leave and presented a bill directing the mode of choosing Senators to represent this State in the Congress of the United States, which was read, passed the first time and sent to the House of Commons.

Received from the House of Commons the resolution directing that no bill of a private nature be received after a certain time; endorsed "Concurred with." And a petition of sundry inhabitants of Rutherford county, endorsed "Referred to Mr. M'Dowall, Jun., Mr. Person, Mr. Mebane, Mr. Porter and Mr. Chambers;" which being read, was on the part of this House referred to Mr. M'Dowall, Mr. Carter and Mr. Wynns.

Received from the House of Commons the bill for adding Randolph county to Salisbury district, and Rockingham county to Hillsborough district; endorsed "Read the first time and passed."

Ordered, That this bill be read; which being read, was passed the second time in this House and returned.

Mr. Clinton, from the committee to whom was referred the petition of the inhabitants of Surry county, delivered in the following report:

That from the several documents adduced to your committee in

support of the petition, as also by the oral testimony of several gentlemen well acquainted with the situation and extensiveness of the said county, it appears, that the prayer of the petitioners is just and reasonable. Your committee are therefore of opinion that the said county of Surry be divided, agreeable to the prayer of the petitioners. Which is submitted. RICHARD CLINTON, Ch.

The House taking the foregoing report into consideration, it was ordered that the same, together with the bill for dividing Surry county, be made the order of to-morrow, and that they be taken up and read.

Received from the House of Commons the following message:

Mr. Speaker and Gentlemen:

We agree that the bill to authorize the county courts in this State annually to elect a certain number of Justices in each county to attend the business thereof, be committed as by you proposed; we have on our parts appointed Mr. M'Dowall, Jun., Mr. P. Hawkins, Mr. Davie, Mr. Jones and Mr. Hamilton. We also agree that the bill for processioning lands be committed as by you proposed, and have appointed on our parts Mr. Mebane, Mr. Person, Mr. Lindley and Mr. John Bryan.

Received also a bill to erect a public provision store in the county of ———— for the accommodation of the Cumberland guard; and a bill for equalizing the land tax, and ascertaining the several subjects of taxation; each endorsed "Read the first time and passed."

Ordered, That these bills be read; which being read, the former was passed the first time in this House and returned, and the latter on motion rejected.

The bill for pardoning John Bradley, of the town of Wilmington, was read the second time, amended, passed and sent to the House of Commons.

Received from the House of Commons a resolution directing that in future the public printer deliver the laws and journals intended for the district of Mero at the Moravian town, in Surry county; and a report of the committee on the memorial of John Williams; which being read, were concurred with by this House and returned.

On motion of Mr. Willis the House resolved as follows:

Whereas it is presented to this General Assembly that there is in the county of Bladen a number of entries of land made in the

Entry-taker's office before said county was divided, and that all such entries that are situated in the county of Robeson are not yet surveyed, and that no act of Assembly heretofore passed will empower the surveyor of the county of Robeson to survey said lands:

Resolved, That on application of the surveyor of the county of Robeson to the Entry-taker of the county of Bladen, that the said Entry-taker shall deliver to the said surveyor all warrants for lands entered in his office lying in the county of Robeson; and the said surveyor is hereby directed to survey the same and make return thereof to the Secretary's office; and that all grants issued for lands lying in the county of Robeson not yet registered, shall be registered in said county.

Received from the House of Commons the bill to vest certain lands therein mentioned in the Monthly Meeting of the people called Quakers, of New-Garden, in Guilford county; and the bill to regulate the practice of physic and surgery; each endorsed "Read the second time and passed."

Ordered, That these bills be read; which being read, the first was passed the second time in this House and returned, and the latter on motion rejected.

Mr. Brown presented the petition of John Estis, of the town of Hillsborough; which was read, referred to Mr. Nesbit, Mr. Gowdy and Mr. Harget, and sent to the House of Commons.

Mr. Macon moved for leave and presented a bill to repeal so much of an act passed at Tarborough, entitled "An act to regulate the inspection of tobacco," as alludes to classing the same; which was read, passed the first time and sent to the House of Commons.

Received from the House of Commons a bill to revive and continue in force so far as respects the county of Johnston, an act passed in the year 1786, entitled "An act to empower the several county courts therein mentioned to lay a tax, not exceeding three years, for the purpose of erecting or repairing the court-house, prison and stocks when necessary, and for defraying the contingent charges of the county;" and a bill to invest in Jeremiah and Robert Field an indefeasible right to such property as was granted to them by their father in the year 1786; each endorsed "Read the first time and passed."

Ordered, That these bills be read; which being read, were passed the first time in this House and returned.

Mr. Harget from the committee of claims, to whom was referred the certificates of James M'Bee and Isaac Titsworth, delivered in the following report:

That it is their opinion the certificate granted by the General Assembly in 1779 should be paid off by the Treasurer, without being referred to the committee of claims a second time, and recommend to the General Assembly to direct the Treasurer to pay the said James M'Bee and Isaac Titsworth the amount of their certificates, agreeable to the scale of depreciation. Which is submitted.

F. HARGET, Ch.

The House taking this report into consideration concurred therewith.

Received from the House of Commons the following message:

Mr. Speaker and Gentlemen:

We propose that the bill herewith sent you to extend the civil and military authority of this State to the inhabitants south of French Broad and Holstein rivers, be referred to the committee on Indian affairs.

Ordered, That the following message be sent to the House of Commons:

Mr. Speaker and Gentlemen:

We agree that the bill for extending the civil and military authority of this State to the inhabitants south of French Broad and Holstein rivers be referred as by you proposed.

Received from the House of Commons a bill for amending the act for opening the land-office, for the redemption of specie and other certificates, and discharging the arrears due to the army. A bill to repeal part of the 20th clause of an act passed at Hillsborough in 1784, entitled "An act to prevent the exportation of unmerchantable commodities." A bill to cede to the United States certain lands therein mentioned. And a bill to cede to that part of the citizens of this State who reside west of the Great Iron and Stone Mountains the territorial right thereof, and to erect the same into a separate and distinct State; to open the land office to dispose of the unappropriated lands within the said territory, thereby to sink the specie certificates issued by this State, and to redeem the present paper money now in circulation, and other purposes therein mentioned. Respectively endorsed "Read the first time and passed."

Ordered, That these bills be read; which being read, were passed the first time in this House and returned.

The House adjourned until 4 o'clock P. M.

Met according to adjournment.

On motion of Mr. Macon, Ordered, That the following message be sent to the House of Commons:

Mr. Speaker and Gentlemen:

We have appointed Mr. Harget and Mr. Graham to superintend the balloting, and are now ready to enter on that business. We also propose, as has been usual, that the superintendants wait on the sick members in order to receive their votes.

Received from the House of Commons the following message:

Mr. Speaker and Gentlemen:

We have appointed Mr. Jordan Hill, and Mr. Hamilton, of Guilford, to superintend the balloting this evening, for Senators, &c. This House have withdrawn the names of R. D. Spaight and James White, Esquires, from the nomination of Senators. We propose that the Treasurer be balloted for at the same time that the Senators, &c., are balloted for, and have nominated for that office, John Haywood, Esquire.

Received also a petition of James Spiller, Esq., endorsed "Referred to the committee of propositions and grievances;" which was read, referred in like manner and returned.

Received also the following message:

Mr. Speaker and Gentlemen:

We have appointed Mr. Davie, Mr. Lock, Mr. Scott, Mr. Person, and Mr. Rice to act with such gentlemen as you may appoint to enquire and report to this Assembly the application of the money drawn for the purpose of erecting a station for the reception of the guard and accommodation of persons travelling to the Cumberland settlements, in pursuance of a resolution or act of the last Assembly.

Ordered, That the following message be sent to the House of Commons:

Mr. Speaker and Gentlemen:

Mr. Gregory, Mr. Skinner, Mr. Carter and Mr. Brown, will on the part of this House act with the gentlemen by you named, for the

purpose of enquiring into and reporting on the application of the money drawn for the accommodation of the Cumberland guard, &c.

Adjourned till to-morrow morning 10 o'clock.

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FRIDAY, November 27, 1789.

The House met according to adjournment.

Mr. Harget and Mr. Graham, appointed on the part of this House to superintend the balloting for Senators from this State to the Congress of the United States, public Treasurer, and place at which the next Assembly shall be held, delivered in the following report: That having executed the duties of their appointment, they find on casting up the scrolls, that Samuel Johnston, Esq., is elected Senator from this State to the Congress of the United States, by a large majority of votes—That John Haywood, Esq., is appointed public Treasurer, and that one person to represent this State in the Congress of the United States as Senator, and the place at which the next Assembly shall be held, remain still to be made choice of, neither having got a majority of votes.

The House taking this report into consideration, concurred therewith.

On motion of Mr. Harget, Ordered, That the following message be sent to the House of Commons:

Mr. Speaker and Gentlemen:

We have appointed Col. Brown and Col. Lenoir, who with such gentlemen as you may make choice of, will wait on the Hon. Samuel Johnston, Esq., and acquaint him of his election as Senator from this State to the Congress of the United States.

Received from the House of Commons the bill for pardoning John Bradley of the town of Wilmington, endorsed "Read the third time and passed." And the bill to enable creditors more easily to recover their debts from joint partners and upon joint notes," endorsed "Read the first time and passed."

Ordered, That these bills be read; which being read, the first was passed the third and last time, and ordered to be engrossed; and the latter on motion rejected.

Received also the bill to establish the lines of a certain tract of land granted unto Charles Gerard, endorsed "Read the third time and passed." And the bill to empower the wardens of the poor for

the counties of Franklin or Surry to build a house or houses for the reception of the poor, endorsed "Read the first time and passed."

Ordered, That these bills be read; which being read, the first was passed the third and last time, and ordered to be engrossed; and the latter the second time in this House and returned.

The order of the day being called for, and the bill for dividing the county of Surry into two distinct counties, and for other purposes, was read, passed the second time and sent to the House of Commons.

Received from the House of Commons a resolution directing that the several committees having before them business of a public nature, report as soon as possible thereon, and that all bills of a public nature stand first as the order of each day; which being read, was concurred with and returned.

Received from the House of commons the following message:

Mr. Speaker and Gentlemen:

We herewith send you the petition of Peter Franklin, together with a bill to answer the prayer of his petition, which we propose shall be committed to the gentlemen appointed to consider of the petition of Granbury Sutton. We have added Mr. Nixon to this committee.

Ordered, That the following message be sent to the House of Commons:

Mr. Speaker and Gentlemen:

We agree that the petition of Peter Franklin stand referred as by you proposed.

Received from the House of Commons a bill directing returns to be made of the taxable property in the middle district of Anson county for the year 1788. A bill to alter the times of holding the annual Assemblies of this State. And a bill to alter the mode of trying slaves accused of offences the punishment whereof shall extend to life or member. Each endorsed "Read the first time and passed."

Ordered, That these bills be read; which being read, the two first were passed the first time in this House and returned, and the latter on motion rejected.

On motion of Mr. Graham, Ordered, That the following message be sent to the House of Commons:

Mr. Speaker and Gentlemen:

We propose that the bill to discharge the expences of an expedition against the Indians, and the bill to empower the county Treasurer

and Collectors in the several counties in the district of Washington to receive from any person or persons in payment of their public taxes, any accounts, &c., be submitted to the consideration of the committee appointed to report on the warrants laid before the Assembly by Mr. Outlaw.

Received from the House of Commons the following message:

Mr. Speaker and Gentlemen:

We have on our parts appointed Mr. Stokes and Mr. Grove to attend the Hon. Samuel Johnston, Esq., and acquaint him with his election to the office of Senator, to represent this State in the Congress of the United States.

Received also a report of the committee on the memorial of Humphrey Hardy, and the petition of James M'Masters and John Whitley. A report of the committee on the petition of Thomas Withers. A report on the petition of James Fletcher. And a report of the committee on the petition of James Bonner. Severally endorsed "Concurred with." Which being read, each was also concurred with by this House and returned.

On motion of Mr. Macon, Ordered, That the following message be sent to the House of Commons:

Mr. Speaker and Gentlemen:

The Hon. Samuel Johnston having signified his acceptance of the appointment of Senator from this State to the Congress of the United States, we propose that a Governor of this State be made choice of tomorrow evening at 4 o'clock, and nominate the Hon. John Williams, Alexander Martin and Charles Johnson, Esquires. We also propose that one person to represent this State as Senator in the Congress of the United States, and the place at which the next General Assembly shall be held, be balloted for at the same time; and nominate for Senator, William Lenoir, William Blount and Benjamin Hawkins, Esquires—for the place at which the next Assembly will sit, the towns of Tarborough, Fayetteville, New Bern and Nashville.

Received from the House of Commons a bill to amend an act, entitled "An act for the better regulation of the town of Edenton;" and a bill for erecting a town on the lands of Fergus Sloan, and to amend an act for the division of Rowan county; each endorsed "Read the first time and passed."

Ordered, That these bills be read; which being read, were passed the first time in this House and returned.

Received also a bill to empower the wardens of the poor for the county of Currituck to lay a tax to enable them to settle the arrears due from said county to persons who have supported the poor; and the bill for procuring testimony concerning the accounts of this State against the United States; each endorsed "Read the second time and passed."

Ordered, That these bills be read; which being read, were passed the second time in this house and returned.

On motion of Mr. Harget, Ordered, That the following message be sent to the House of Commons:

Mr. Speaker and Gentlemen:

We propose adjourning till to-morrow 4 o'clock, P. M. in order that the committees may report on the business before them.

On motion of Mr. Brown, Ordered, That the following message be sent to the House of Commons:

Mr. Speaker and Gentlemen:

We have added the name of Timothy Bloodworth, Esq., to the nomination for Senator.

Received from the House of Commons a petition of James Miller, and a petition of John Crawford endorsed "Referred to the committee of propositions and grievances;" which were read, referred in like manner and returned. Also the petition of sundry persons, officers in the late continental line of this State, endorsed "Referred as by the Senate."

Received likewise a memorial of Henry Giles, endorsed "Referred to William Brandon's committee;" a petition of Wilson Taylor, endorsed "Referred to the committee of propositions and grievances;" a petition of John Walker, endorsed "Referred to the committee of claims;" a petition of Robert Rayford, and a petition of Peter Munroe, endorsed "Referred to the committee of propositions and grievances;" which were read, respectively referred as by the House of Commons and returned.

Received from the House of Commons the following Message:

Mr. Speaker and Gentlemen:

We cannot concur with your message proposing to ballot to-morrow evening for a Governor, Senator and the place of holding the next Assembly, but propose that that business be done on Wednesday evening at 4 o'clock. We propose also that the two Houses adjourn till Mon-

day morning next, to make way for the committees entering on the business referred to them.

Ordered, That the following message be sent to the House of Commons:

Mr. Speaker and Gentlemen:

We agree to ballot on Wednesday next for a Governor, Senator and place of holding the next Assembly as by you proposed.

On motion of Mr. Macon, Ordered, That the following message be sent to the House of Commons:

Mr. Speaker and Gentlemen:

We have added to the committee appointed to introduce a bill directing the manner, time and place of electing Representatives, Mr. Brown, Mr. Macon, Mr. Lenoir, Mr. Smith, Mr. Willis and Mr. Lane. We have also appointed Mr. Skinner and Mr. Willis to examine the engrossed bills.

The House adjourned until Monday morning 10 o'clock.

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MONDAY, November 30, 1789.

The House met according to adjournment.

Mr. Harget presented the memorial of James Armstrong, Esq., late Commissioner of confiscated property; which was read, referred to Mr. Brown, Mr. Gillespie and Mr. Clinton, and sent to the House of Commons.

His Hon. the Speaker having recovered of his indisposition, again on this day resumed the chair.

Received from the House of Commons the bill to erect a light-house on Occacock Island, endorsed "Read the third time and passed."

Ordered, That this bill be read; which being read, was passed the third time and ordered to be engrossed.

Mr. Skinner presented the petition of Thomas Amis and Francis Peyrinnaut, of the county of Chowan; which was read, referred to the committee appointed on the petition of Lewis M'Pherson and sent to the House of Commons.

Received from the House of Commons the petition of William Smith, the petition of Nicholas Long, the petition of Sarah Dupree, the petition of Neil Ray, the petition of Jane Sheppard, and the letters from sundry people living in the western country; severally endorsed "Read and referred as by the Senate."

Received also the resignations of Thomas Blount and James M'Neil, the resignation of Stephen Andrews, the resignations of John Ross and Edward Smithwick, the resignation of William Seals, and the resignation of James Ford; endorsed "Read and accepted."

Received likewise the petition of John Arnold, endorsed "Referred to the committee of claims;" the memorial of Charles Dicks, of Camden county, endorsed "Referred to the committee of propositions and grievances;" also the memorial of Thomas Evans, endorsed "Referred to Mr. Ewing, Mr. Dickens, Mr. Rice and Mr. Person.

Read the memorial of William Nall, late Sheriff of Wilkes county; whereupon the House resolved as follows

Whereas the public Treasurer hath certified to this Assembly, that he hath obtained judgment against Mr. William Nall, for his arrearages as Sheriff of Wilkes county for the years 1785 and 1786, and that said Nall had not credit for either insolvents or exemptions in his account, on which said judgment was obtained: For remedy whereof,

Resolved, That the public Treasurer be and he is hereby authorised and directed, to receive of Mr. William Nall, late Sheriff of Wilkes county, such insolvents and exemptions as he may tender to him, properly attested by the Clerk of the court of the county aforesaid, as being of the taxes of the years 1785 and 1786, the judgment taken against said Nall notwithstanding. And that other Sheriffs in similar circumstances have the same indulgence; which insolvents and exemptions when so received, shall pass in the Treasurer's account as so much money and certificates. Sent for concurrence.

Received from the House of Commons the resolution of this House relative to the Entry-taker of Robeson county, endorsed "Concurred with;" and a report of the committee on the memorial of John Whitaker; which was read, concurred with and returned.

On motion, Ordered, That Mr. Skinner have leave to withdraw for amendment the bill to amend an act for establishing a militia in this State.

Received from the House of Commons a bill for establishing a town at a place called Oxford, on the lands of ————————, in Granville county; and the bill directing the mode of proceeding on writs of mandamus; each endorsed "Read the first time and passed."

Ordered, That these bills be read; which being read, were passed the first time in this House and returned.

Mr. Ashe delivered in the following report:

Your committee of finance to whom were referred the statements and reports of the accounts of this State with the United States, also the Treasurer's and Comptroller's statements and accounts, and the papers respecting the public tobacco and the Martinique debt, together with other papers relating to the public revenue, report—That in order to expedite the business of the present session, your committee have thought it expedient to divide themselves into sub-committees in the following manner, viz:

No. 1. Consisting of Mr. Davie, Mr. Stokes, Mr. Mebane, Mr. Blount and Mr. Chambers, to examine the statements and report of the accounts of this State against the United States.

No. 2. Consisting of Mr. Stewart, Mr. Skinner, Mr. Lindley, Mr. Gregory and Mr. Williams, to examine the papers respecting the public tobacco.

No. 3. Consisting of Mr. Skinner, Mr. Person, Mr. Lock and Mr. Lane to inquire into the state of the Martinique demand.

No. 4. Consisting of Mr. Davie, Mr. Graham, Mr. Lenoir, Mr. Galloway, Mr. Hawkins, Mr. Person and Mr. Chambers, to examine the Treasurer's account and business of revenue.

No. 5. Consisting of Mr. Lock, Mr. Guion, Mr. Stewart, Mr. Williams and Mr. Grove, to enquire into the state of the sinking fund tax and ragged money.

No. 6. Consisting of Mr. Stokes, Mr. Ashe, Mr. Person, Mr. Hawkins, and Mr. Jones, to enquire into the state of the final settlement certificates now in the treasury.

No. 7. Consisting of Mr. Jones, Mr. Gregory, Mr. Davie and Mr. Stokes, to examine the recognizances sent to the Treasurer by the Clerk of the superior court of Wilmington district.

No. 8. Consisting of Mr. Lenoir, Mr. Gregory, Mr. Mebane and Mr. Graham, to enquire into that part of the Treasurer's report which relates to the due bills received by Mr. Hunt as late Treasurer, and the public debtors.

No. 9. Consisting of Mr. Blount, Mr. Lenoir, Mr. Stokes, Mr. Williams and Mr. Person, to prepare a bill for the improvement of the revenue laws.

Your committee therefore recommend that the reports made by the aforesaid sub-committees, be introduced by the Chairman of such committee respectively in the same manner as if they had been ex-

pressly appointed by the General Assembly. Which is submitted.

JOHN B. ASHE, Ch.

The House taking this report into consideration concurred therewith.

Received from the House of Commons the following message:

Mr. Speaker and Gentlemen:

We agree that the bill to discharge the expenses of an expedition against the Indians, and the bill to empower the county Treasurer and Collectors in the several counties in Washington district, to receive in payment of taxes accounts, &c., be referred to the committee appointed to report on the warrants granted Col. Outlaw, as by you proposed.

Mr. Lenoir delivered in the following report:

Your committee to whom was referred the case of the people residing South of French Broad river, report—That previous to an act of the General Assembly passed in 1783, reserving certain lands to the use of the Indians, near one hundred families were settled on the territory south of French Broad: That by the above recited act those families were left on that part reserved to the Indians for hunting grounds—That as early as 1782 his Excellency Governor Martin did appoint John Sevier, Charles M'Dowall and Waitstill Avery, Esquires, or any two of them, Commissioners to hold a treaty with the Cherokee Indians—That on the 31st of May, 1785, John Sevier did treat with several of the Head-men of the said nation, in a fair and open manner, for all lands below Brown's line south of Holstein, and as low as the dividing ridge between Tennessee and Little River; for which lands the Indians were to receive a compensation; which compensation from unavoidable accidents has not yet been paid—Your committee therefore report it advisable that a law be passed to comply with the said treaty; and upon the whole your committee are of opinion it would be expedient for this Assembly to pass an act, for extending the boundary of Greene county so as to include these settlers, and to erect them into a separate and distinct battalion of militia, the officers of which shall be appointed in the usual mode, and also so many Justices of the Peace as may be necessary, which Justices of the Peace shall be considered as members of the court of Greene county—Your committee further recommend to this General Assembly, that some person be appointed to pay the said Indians agreeably to the said treaty, and shall be furnished with a sum of

money not exceeding six hundred pounds, to be laid out in goods, which shall be paid down to the Indians, or so much thereof as he shall find necessary to satisfy them for the purchase of said lands: That an Entry-taker be appointed by this General Assembly for the district south of French Broad river, and the said Entry-taker so appointed, shall not enter upon the duties of his said office until the treaty herein alluded to be complied with; and after such compliance the said Entry-taker shall proceed to take entries for the lands aforesaid, and shall take and receive for the use of the State the sum of eight shillings in the current money of this State and ten pounds in specie certificates, for each and every hundred acres of land entered in his office; and that each and every person in the said district who have made any improvements, be entitled to a right of pre-emption, and shall be allowed twelve months to enter the same—Your committee further report, that upon the lowest calculation upon the quantity of land, eight shillings per hundred will produce the sum of twelve hundred pounds, which will fully reimburse the treasury all the cash advanced for goods and expenditures with interest. All which is submitted. WM. LENOIR, Ch.

The House taking this report into consideration concurred therewith.

Received from the House of Commons a bill for the relief of such persons as may be wounded by the Indians within the district of Mero, and for other purposes. A bill to appoint Commissioners for carrying into effect an ordinance of the Convention at Hillsborough, for the purpose herein mentioned. And the bill for cutting a navigable canal from the waters of Pasquotank river in this State to the waters of Elizabeth river in the State of Virginia. Each endorsed "Read the first time and passed."

Ordered, That these bills be read; which being read, the two former were passed the first, and the latter the second time in this House and returned.

Mr. Blount presented the petition of Joseph Green, of Wayne county; which was read, referred to the committee of propositions and grievances No. 2, and sent to the House of Commons.

Received from the House of Commons a petition of John Row, and the petition of Betty Hughs, of Caswell county; each endorsed "Referred to the committee of propositions and grievances No. 1;" which were read, referred in like manner by this House and returned.

Received also a petition of George Doherty and Vincent Williamson, executors of Capt William Williams; endorsed "Referred to the committee appointed on the petition of Daniel Williams;" which was read, referred in like manner by this House and returned.

Mr. Blount moved for leave and presented a bill for raising a revenue for the payment of the civil list and contingent charges of government for the year 1790 which was read, passed the first time and sent to the House of Commons:

Ordered, That Mr. Gillespie have leave to prepare and introduce a bill to empower the administrators of James White, of Bladen county, to sell a part of the real estate, for the payment of the debts due by the said deceased.

Mr. Harget from the committee of claims, to whom was referred the memorial of Andrew Jackson, delivered in the following report:

That it appears to your committee from the deposition of sundry gentlemen, that the said Andrew Jackson, Esq., was appointed by John M'Nary, Esq., Judge of the superior court of Davidson county, to act as Attorney-General for the State, and he acted as such November term 1788; and also that it appears from the Clerk's certificate for the superior court of Mero district, that the said Andrew Jackson, Esq., was appointed as Attorney-General for the said district, and acted as such May term 1789; and as the law for establishing a superior court in the county of Davidson, and the act of Assembly for establishing a superior court for the district of Mero, neither have made any provision for Attorney-General, your committee are therefore of opinion, that the said Andrew Jackson, Esq., should be allowed the same salary for attending a court that the Attorney-General for the superior court of Washington district is allowed by law; and that the Treasurer be directed to pay him accordingly. Which is submitted. F. HARGET, Ch.

The House taking this report into consideration, concurred therewith.

Received from the House of Commons the following message:

Mr. Speaker and Gentlemen:

We herewith send you the petition of Benjamin Williams, of Brunswick county, and a bill to answer the prayer thereof; which we propose referring to the committee appointed on the petition of Daniel Williams.

Ordered, That the following message be sent to the House of Commons:

Mr. Speaker and Gentlemen:

We agree that the bill vesting in Benj. Williams, of Brunswick county, certain lands, be reported on by the committee appointed on the petition of Daniel Williams.

Mr. John Herritage, the member for the county of Dobbs, and Mr. Lewis Lanier, the member for the county of Anson, appeared, presented the certificates of their elections, were qualified agreeably to law and took their seats.

Received from the House of Commons the following message:

Mr. Speaker and Gentlemen:

We have appointed Mr. Jones and Mr. Hamilton of Edenton, to assist in examining the engrossed bills.

Received also a report of the committee of propositions and grievances on the petition of Cosimo Medici; which was read; concurred with and returned.

Received likewise a resignation of James Freeland, a Justice of the Peace for the county of Orange, and a resignation of Benjamin Murrill, a Justice of the Peace for the county of Hawkins; each endorsed "Accepted;" which being read, were also accepted of by this House and returned.

On motion, Ordered, That the following message be sent to the House of Commons:

Mr. Speaker and Gentlemen:

We have reconsidered and rescinded our resolution of the 28th inst. relative to the introduction of bills of a public nature, and propose that they may be received in either House until Saturday next.

The House adjourned until to-morrow morning 10 o'clock.

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TUESDAY, December 1, 1789.

The House met according to adjournment.

Received from the House of Commons a bill directing the Collectors of imposts and other duties to collect the same for the use of this State until the Congress of the United States shall make provision for that purpose; and a bill for levying a further tax in the several counties in the district of Newbern, and for calling to account the Com-

missioners of the same; each endorsed "Read the first time and passed."

Ordered, That these bills be read; which being read, were passed the first time in this House and returned.

Mr. Herritage presented sundry petitions from the county of Dobbs, praying a division thereof; which were read, referred to the committee appointed on the bill for dividing Hawkins county and sent to the House of Commons.

Mr. Harget, from the committee of claims, delivered in the following report:

Your Committee to whom was referred the petition of John Gray and Thomas Blount, report—That it appears to your committee that Richard Blackledge did, at Col. James Armstrong's sale of confiscated property as Commissioner for the district of Newbern, purchase a tract of land adjacent to the town of Washington, then in possession of James Maxwell, for which he paid £6,100 in certificates; it also appears to your committee, suit was commenced against him the said Maxwell by said Richard Blackledge, and that John Gray and Thomas Blount, previous to the determination of the suit, became lessors on the plaintiff, and prosecuted the suit in their own names, as appears from an attested copy of the records of the county court of Beaufort, which also shews that the jury on their oaths found the defendant not guilty. Your Committee are of opinion, that the Comptroller should be directed to issue a certificate to John Gray and Thomas Blount, for £6,100, the purchase money of said land. Which is submitted. F. HARGET, Ch.

The House taking this report into consideration concurred therewith.

Mr. Lenoir delivered in the following report:

Your committee to whom was referred an official return of the transactions of John Steele, Esq., Commissioner of Indian affairs, together with his account of expenditures, beg leave to report—That in pursuance of the aforesaid appointment the said Commissioners hath drawn from the public treasury of this State the sum of £1,333 6 8, which is accounted for in the following manner, viz: For merchandize (per invoice) for the purpose of carrying on a treaty with the Cherokees, £1,048 17 3; for sundry other charges, as set forth in his account, supported by vouchers, £389 14 6; for his personal service at five dollars per day, £198; amounting in the whole

to £1,636 11 9; which leaves a balance due the said Steele the sum of £303 5 1, for which the State is entitled to a credit from the Union —Your committee also report that they have examined the official transactions of the said Steele, upon which it appears, that agreeable to his instructions from the last General Assembly he proceeded with the goods purchased for the said treaty to the War Ford, on French Broad river, where he used every effort in his power to effect the purpose for which he was appointed; but failing therein, owing to circumstances which were unforeseen and unavoidable, he stored the goods at the house of Major William Davidson on Swannonoa, subject to the cost and risk of the United States, and hath taken said Davidson's receipt for the same.—Your committee are therefore of opinion, that the Treasurer be directed to pay unto the said Steele the above balance of £303 5 1, for which he shall be allowed in the settlement of his accounts. Which is submitted.

WM. LENOIR, Ch.

The House taking this report into consideration, concurred therewith.

Received from the House of Commons a bill for dividing the county of Surry into two distinct counties, and for other purposes, endorsed "Read the second time and passed."

Ordered, That this bill be read; which being read, was passed the third time in this House and returned.

Mr. Harget delivered in the following report

The committee to whom was referred the petition of Benjamin Williams, of Brunswick county, report—That from the proofs and documents produced before them, it clearly appears that the said Benjamin Williams hath an equitable right to a certain piece or parcel of land in Brunswick county, conveyed to him by William Simpson, on the 15th day of September, 1775, and therefore recommend that a law be passed confirming his title to the said piece of land, saving the right of all persons claiming otherwise than under the said William Simpson. Which is submitted. F. HARGET, Ch.

The House taking this report into consideration concurred therewith. Whereupon,

Mr. Harget moved for leave and presented a bill to confirm unto Benjamin Williams an indefeasible title to a certain piece of land in Brunswick county; which was read, passed the first time and sent to the House of Commons.

Mr. Gregory moved for leave and presented a bill for the promotion of learning in the county of Currituck; which was read, passed the first time and sent to the House of Commons.

Mr. Brown presented the petition of James S. Purdie, late Sheriff of Bladen county; which was read, referred on the part of the Senate to Mr. Brown and Mr. Willis and sent to the House of Commons.

Mr. Hill moved for leave and presented a bill directing the mode of paying the members of the General Assembly; which was read, passed the first time and sent to the House of Commons.

Ordered, That the following message be sent to the House of Commons:

Mr. Speaker and Gentlemen:

We have added Mr. Benford to the committee of propositions and grievances No. 2.

Mr. Harget presented the petition of John Markland; which was read, referred to Mr. Herritage and Mr. Smith on the part of the Senate, and sent to the House of Commons.

Received from the House of Commons the report of the committee of finance, endorsed "Concurred with;" also a report of the committee on the petition of John Smallwood, and a report of the committee on the petition of Andrew Greer, endorsed "Concurred with;" which being read, were also concurred with by this House and returned.

Mr. Harget delivered in the following report:

The committee of claims, to whom was referred the memorial of Hans Hamilton, late Sheriff of Guilford county, report—That the matters set forth in the said memorial in their opinion are fact, and the certificates contained therein are genuine, and have never been in the hands of Benjamin Exum or paid off by any holder of public money, except by the said Hans Hamilton, and by him taken up in part of the taxes of said county for the year ———.—Your Committee are therefore of opinion, that the Treasurer should be directed by the General Assembly to pass the certificates mentioned in said memorial, viz: one in the name of James Galloway for forty-seven pounds, dated at Hillsborough in June, 1784—one in the name of John Leak for eighteen pounds dated at Hillsborough, June, 1784—one in the name of James Malloy for eighteen pounds, dated at Hillsborough in June 1784—and also one other in the name of Mary Moody for fifteen pounds, dated in May, 1784, amounting in the

whole to one hundred and ninety-five pounds, to the credit of the said Hans Hamilton, as sheriff of Guilford county for the year 178—. Which is submitted. F. HARGET, Ch.

The House taking this report into consideration concurred therewith.

Received from the House of Commons the report of the committee on the petition of Andrew Jackson, endorsed "Concurred with;" a report on the petition of John Walker, and a report on the petition of James Mebane and John Taylor, each endorsed "Read and concurred with;" which being read, each was also concurred with by this House and returned.

Mr. Harget delivered in the following report:

The committee of claims, to whom was referred George Doherty's certificate, granted to him by the General Assembly in June, 1784, report—That from the testimony that was adduced to them, and from the said Doherty's residing over on the western waters, in so remote a part of the State from any holder of public money, are therefore of opinion, that the said certificate has never been paid off by Benjamin Exum, or any other holder of public money, and recommend to the General Assembly to direct the Treasurer to pay to George Doherty the sum of twenty-five pounds, the same being the amount of his certificate. Which is submitted.

F. HARGET, Ch.

The House taking this report into consideration concurred therewith.

Received from the House of Commons a report of the committee on the petition of Ritchie & Co., and and a report on the petition of Dr. F. Ramcke; each endorsed "Concurred with;" which were read, concurred with by this House and returned.

Mr. M'Callister presented the resignation of Alexander Gregory, as a Justice of the Peace for the county of Cumberland; which was read, accepted and sent to the House of Commons.

Received from the House of Commons the bill to repeal part of an act, entitled "An act to explain an act directing the duty of Naval-officers, and all masters of vessels coming into the ports and inlets of this State;" endorsed "Read the second time and passed."

Ordered, That this bill be read; which being read, was amended, passed the second time in this House and returned.

Received also a petition of William Nash, endorsed "Referred to the committee appointed on the petition of William Butler;" which being read, was on motion rejected.

Mr. Gillespie presented the petition of William H. Beaty; which was read, referred to the committee appointed on the petition of Samuel Purdie and sent to the House of Commons.

The House adjourned until to-morrow morning 10 o'clock.

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WEDNESDAY, December 2, 1789.

The House met according to adjournment.

Mr. Macon presented a report of the committee, December, 1785, relative to the accounts of Green Hill, as Treasurer; which being read, was on the part of this House referred to Mr. Graham and Mr. M'Dowall and sent to the House of Commons.

On motion of Mr. Gillispie, Ordered, That the following message be sent to the House of Commons:

Mr. Speaker and Gentlemen:

We propose that a committee be appointed, to consist of members from each House, to take under their consideration, and report what steps are proper to be taken in order that this State may recover of Benjamin Exum, the money which she is like to lose through his misconduct as late Treasurer of the district of New Bern; and have appointed for this purpose, on our parts, Mr. Ashe, Mr. Gillispie and Mr. Macon.

Received from the House of Commons the bill for levying a tax in the district of Salisbury, for finishing the court-house and repairing the gaol for the said district; endorsed "Read the second time and passed."

Ordered, That this bill be read; which being read, was also passed the second time in this House and returned.

Received also the following message:

Mr. Speaker and Gentlemen:

We agree that the time for receiving bills of a private nature be lengthened until Saturday as by you proposed.

Mr. Hill moved for leave and presented a bill in aid of the revenue of this State, and to encourage the regular physicians thereof; which was read, and on motion rejected.

Received from the House of Commons a resolution of that body,

directing that the journals of the late Convention be deposited in the office of the Secretary of State; which was read, concurred with and returned.

Received also the following message:

Mr. Speaker and Gentlemen:

We herewith send you several messages this day received from the Hon. Samuel Johnston: The letter from the Consul of France enclosed in one of them, we propose to refer to that branch of the committee on finance who have under consideration the Martinique demand; the other, relative to the journals of the late Convention we have formed a resolution on, which we send for your concurrence.

Ordered, That the following message be sent to the House of Commons:

Mr. Speaker and Gentlemen:

We agree that the letter from the Consul of France be reported on by that branch of the committee on finance who have under their consideration the Martinique demand.

Received from the House of Commons the report of the committee on the petition of John G. and Thomas Blount, and the report of the committee on the accounts of John Steele, Esq., Indian Commissioner; each endorsed "Concurred with."

The memorial of William Blount, Esq., was read, referred on the part of the Senate to Mr. Gowdy, Mr. Ashe and Mr. Harget, and sent to the House of Commons.

Received from the House of Commons the memorial of James Purdie, endorsed "Referred to Mr. Cowan, Mr. Stewart and Mr. Barnes." Also the report of the committee on the petition of John Walker, endorsed "Concurred with."

Received also the resolution of this House in favour of William Nall, late Sheriff of Wilkes county; endorsed "Concurred with as amended;" which being read, it was

Ordered, That the following message be sent to the House of Commons:

Mr. Speaker and Gentlemen:

The resolution of this House in favour of William Nall, late Sheriff of Wilkes county, we propose shall be referred to the committee appointed on the petition of James Purdie, and that they so model it

as to answer the prayer of the petitioner without an injury to the State.

Mr. Brown moved for leave and presented a bill for the relief of securities in joint obligations; which was read, passed the first time and sent to the House of Commons.

Received from the House of Commons a bill directing the manner of electing Representatives to represent in Congress; and the bill directing the mode of chusing Senators to represent this State in the Congress of the United States; each endorsed "Read the first time and passed."

Ordered, That these bills be read; which being read, the former was passed the first, and the latter the second time in this House and returned.

Received also a petition of Maurice Baum and Hannah Pugh. A petition of John Armstrong. A petition of Elisha Hadden. A petition of William Batey. A petition of Judith Dowd. And a petition of Cosimo Medici. Severally endorsed "Read and referred to the commitee of propositions and grievances No 1;" which were respectively referred in like manner and returned.

Mr. Clinton delivered in the following report:

Your Committee to whom was referred the petition of the inhabitants of the county of Tyrrel, report—That by indisputable testimony it appears to your committee, that from the great extent of the said county of Tyrrel, and from the great number of water courses which are at certain times almost impassable, the inhabitants thereof cannot get to public elections, whereby they are often deprived of giving their suffrages.—Your committee therefore do recommend, that a law be passed authorising the inhabitants of the said county to hold elections at two different places, exclusive of the place at present fixed by law.—Your committee further report, that from the small number of inhabitants in the said county it will not admit of a division, therefore are of opinion, that part of the prayer of the petition be rejected. Which is submitted.

RICHARD CLINTON, Ch.

The House taking this report into consideration concurred therewith.

Received from the House of Commons a memorial of John Montgomery, endorsed "Referred to Mr. M'Dowall, Mr. Rhea, Mr. Drew, Mr. M'Laine and Mr. Moore;" which being read, was on the part of

the Senate referred to Mr. Graham, Mr. Carter and Mr. Smith. Also the petition of Jane Simpson, endorsed "Referred to the committee appointed on the petition of L. M'Pherson, and Mr. Holland and Mr. Grove added thereto;" which was read and referred as by the House of Commons, with the addition of Mr. M'Allister and Mr. Gillespie from this House.

Mr. Lenoir delivered in the following report:

Your Committee to whom was referred the memorial of Robert Gilkey, respecting a certificate damaged by water, report—That your committee are of opinion, from the testimony they have received from one of the Auditors who issued the said certificate, that the date, 1778, is a clerical error: That the certificate, with the deposition and memorial accompanying the same, be referred to the Comptroller; who is recommended, if he finds sufficient concurring testimony upon the check-books, to issue another to the same amount. Which is submitted. WM. LENOIR, Ch.

The House taking this report into consideration concurred therewith.

Received from the House of Commons a bill for the relief of parties in certain suits depending in the superior courts of law for the district of Morgan. A bill for the more easy redemption of mortgages. A bill to alter the mode of appointment of Inspectors of tobacco at Fayetteville warehouse, and to amend an act, entitled "An act for the better regulation of the town of Fayetteville," passed at Tarborough, 1787; and to ascertain the limits of Fayetteville. A bill directing the mode of raising a fund in the several ports of this State for the support of sick seamen, and manner of appropriating the same. And a bill to regulate the proceedings of elections in certain instances in the borough towns of this State. Endorsed "Read the first time and passed."

Ordered, That these bill be read; which being read, were passed the first time in this House and returned.

Ordered, That the following message be sent to the House of Commons:

Mr. Speaker and Gentlemen:

The subject-matter contained in the form of a resolution herewith sent you, relative to representation, we propose shall be reported on by a joint committee, and have for this purpose on our parts ap-

pointed Mr. Hill, Mr. Graham, Mr. Galloway, Mr. Blount and Mr. Ashe.

The house adjourned until 4 o'clock P. M.

Met according to adjournment.

On motion of Mr. Macon, Ordered, That the following message be sent to the House of Commons:

Mr. Speaker and Gentlemen:

We have appointed Mr. Harget and Mr. Graham to superintend the balloting this evening.

Received from the House of Commons the following messages:

Mr. Speaker and Gentlemen:

We have on our parts appointed Mr. Person, Mr. Davie, Mr. Dickson, Mr. Stokes and Mr. P. Hawkins, to act with the gentlemen by you appointed, to report to the Assembly what measures are proper to be pursued to recover of B. Exum the losses which are likely to be sustained by his misconduct as late Treasurer.

Mr. Speaker and Gentlemen:

We have on our parts appointed Mr. Thomas Blount and Mr. Hamilton of Guilford to superintend the balloting this evening.

Adjourned till to-morrow morning 10 o'clock.

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THURSDAY, December 3, 1789.

The House met according to adjournment.

Mr. Harget and Mr. Graham, appointed on the part of this House to superintend the balloting for Governor, Senator from this State to the Congress of the United States, and place at which the next Assembly shall be held, delivered in the following report:—That having executed the trust in them reposed, they find on casting up the poll, that neither of the candidates for Governor of this State or Senator to the Congress of the United States, appeared to have a majority of votes—and that Fayetteville is made choice of as the place at which the next Assembly shall be held.

The House taking this report into consideration concurred therewith.

On motion of Mr. Gillespie, Ordered, That the following message be sent to the House of Commons:

Mr. Speaker and Gentlemen:

From the report of yesterday's balloting, no one of the candidates for Governor or Senator appearing to have a majority of votes, we propose that the two Houses proceed again to ballot for those officers at 4 o'clock this evening; and nominate the same gentlemen as were candidates on yesterday's balloting, for the respective appointments.

Received from the House of Commons the following message:

Mr. Speaker and Gentlemen:

We propose that the bill herewith sent you, vesting an indefeasible title to Thomas Thomas, of Anson county, for four hundred acres of land, be referred to the committee appointed on the petition of Granbury Sutton.

Ordered, That the following message be sent to the House of Commons:

Mr. Speaker and Gentlemen:

We agree that the bill vesting in Thomas Thomas, of Anson county, certain lands, be referred to the committee on the petition of Granbury Sutton.

Received from the House of Commons the following messages:

Mr. Speaker and Gentlemen:

We agree that the resolution of your House in favour of William Nall, late Sheriff of Wilkes county, be referred as by you proposed.

Mr. Speaker and Gentlemen:

We consent that the bill for adding part of Bladen county to the county of Cumberland be referred as by you proposed.

Mr. Gregory moved for leave and presented a bill for promoting the revenue of the State, by securing payment for vacant lands; which was read, passed the first time and sent to the House of Commons.

Received from the House of Commons the petition in favour of John Ingram, endorsed "Referred to the committee of propositions and grievances;" and the memorial of William Blount, Esq., endorsed "Referred to Mr. Mebane, Mr. Armstrong, Mr. Person, Mr. M'Dowall and Mr. Allen."

Received also the bill for amending the act for opening the land-

office, for the redemption of specie and other certificates, and discharging the arrears due to the army; endorsed "Read the second time and passed."

Ordered, That this bill be read; which being read, was on motion rejected.

Mr. Brown presented the representation of the Comptroller, in behalf of Sarah White, of Bladen county; which was read, referred to the committee of claims and sent to the house of Commons.

Mr. Skinner moved for leave and presented a bill directing at what time the laws of this State shall be in force and have effect; which was read, passed and sent to the House of Commons.

Received from the House of Commons the resignation of Andrew Sanders, a Justice of the Peace for the county of Hyde, endorsed "Accepted;" which being read, was also accepted of by this House.

Received also the bill for procuring testimony concerning the accounts of this State against the United States, endorsed "Read the third time, amended and passed."

Ordered, That this bill be read; which being read, was passed the third time and ordered to be engrossed.

Mr. Dickson moved for leave and presented a bill to repeal part of an act passed at New Bern, entitled "An act to divide the district of Morgan;" which was read, passed the first time and sent to the House of Commons.

On motion, Ordered, That Mr. Lane have leave to absent himself from the service of this House after to-morrow, during the present session; and that Mr. Hill have like permission after Thursday next.

Received from the House of Commons the bill to amend an act to prevent the exportation of unmerchantable commodities, endorsed "Read the first time and passed."

Ordered, That this bill be read; which being read, was passed the second time in this House and returned.

Received also the bill directing the manner of issuing process in sundry cases arising in the superior courts of law and courts of equity; to direct the manner of proceeding on assigned or endorsed bills, bonds and notes under seal; to direct how joint obligations shall survive; and to repeal an act for calling forth the militia to assist in executing civil process; endorsed "Read the second time and passed." Also a bill to incorporate a society of persons by the name

of Centre Benevolent Society, endorsed "Read the first time and passed."

Mr. Speaker and Gentlemen:

Ordered, That these bills be read; which being read, the first was passed the second, and the latter the first time in this House and returned.

On motion of Mr. Ashe, the House resolved as follows:

Whereas from the information of Mr. Curtis Ivey, he has muster rolls and other documents in his possession in Sampson county, which may be found useful in liquidating the army accounts of this State with the United States: Therefore, Resolved, That he have leave of absence, and he is hereby requested to fetch such muster-rolls and other documents to this General Assembly, using every necessary dispatch in this business: and that Mr. Richard Freer act as engrossing and committee Clerk during his absence.

Received from the House of Commons the memorial of James Armstrong, Esq., endorsed "Referred to Mr. Mebane, Mr. Hamilton, Mr. Pride, Mr. Hawkins and Mr. E. Jones;" and the petition of John Markland, endorsed "Referred to Mr. Allen, Mr. Nixon and Mr. Peete" also the petition of Ann Cruse, and the petition of Joseph Green; each endorsed "Referred as by the Senate."

On motion of Mr. Hill, Ordered, That the following message be sent to the House of Commons:

We have added Mr. Mayo and Mr. Wynns to the committee of propositions and grievances No. 2.

Received from the House of Commons the bill to confirm unto Benjamin Williams an indefeasible title to a certain tract of land in Brunswick county, endorsed "Read the first time and passed."

Ordered, That this bill be read; which being read, was passed the second time in this House and returned.

The House adjourned until 4 o'clock p. m.

Met according to adjournment.

Ordered, That the following message be sent to the House of Commons:

Mr. Speaker and Gentlemen:

We are now ready to proceed on the balloting this day agreed on, and have appointed the same gentlemen to superintend the same on the part of this House, who acted on the last balloting.

Received from the House of Commons the following message:

Mr. Speaker and Gentlemen:

We agree to ballot this evening for a Governor of this State, and a Senator, as by you proposed. Mr. Hamilton and Mr. T. Blount will superintend the balloting on the part of this House.

On motion, Ordered, That Mr. John Macon have leave to absent himself from the service of this House during the present session, after the 12th of the present month.

The House adjourned until to-morrow morning 10 o'clock.

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FRIDAY, December 4, 1789.

The House met according to adjournment.

Mr. Clinton delivered in the following report:

Your Committee to whom was referred the petition of the inhabitants of Iredell county, report—That having enquired into the situation of that part of Irdell county that is petitioned for to be added to Rowan county, find that it will leave Iredell in a mere point, if the prayer of the said petition should be granted; neither does it appear to your committee that the inhabitants of that part of Iredell county are so situated, as to render it more convenient to attend the court-house of Iredell; therefore your committee are of opinion, that the prayer of the said petition should be rejected. Which is submitted. RD. CLINTON, Ch.

The foregoing report being read, was concurred with and sent to the House of Commons.

Received from the House of Commons a resolution of this House relative to muster-rolls in the possession of Curtis Ivey, endorsed "Concurred with."

Mr. Clinton delivered in the following report:

Your committee to whom the petition of the inhabitants of Anson county was referred, report—That on duly deliberating on the merits of the said petition it appears, that from the great distance the inhabitants of the county of Anson live from the court-house of Salisbury district, they are subjected to many inconveniences in attending the public duties required of them, and that by annexing them to the district of Fayetteville they will be much relieved: Your committee are therefore of opinion, that the prayer of the said petitioners be

granted, and from motives of justice do unanimously recommend, that a law be passed to that effect, as no public injury can arise from the passage of such a law. Which is submitted.

R. CLINTON, Ch.

The foregoing report being read, was concurred with and sent to the House of Commons.

Mr. Clinton also delivered in the following report:

Your committee to whom was referred the petition of the inhabitants of Hawkins county, report—That from the want of a list of poll taxables and the quantity of acres of land in the said county, and other documents necessary to enable your committee to judge of the propriety of the prayer of the petitioners, they are induced to recommend that the petition be rejected. Which is submitted.

R. CLINTON, Ch.

The foregoing report being read, was concurred with and sent to the House of Commons.

On motion of Mr. Blount, Resolved, That the following be observed as part of the rules of decorum for the government of this house, viz:

That a motion for commitment or postponement shall take place of the main question.

Mr. Harget and Mr. Graham, appointed on the part of this House to superintend the balloting for Governor of this State, and Senator to the Congress of the United States, delivered in the following report:

That having performed the duties of their appointment, they find on casting up the poll, that neither of the candidates for Governor, or Senator from this State to the Congress of the United States, appeared to have a majority of votes.

The House taking this report into consideration concurred therewith.

Mr. Clinton delivered in the following report:

Your committee to whom was referred the petition of the inhabitants of Bladen county, report—That from sufficient information it appears to your committee, that the greatest part of the petitioners reside upwards of thirty miles from the court-house of said county, and not more than ten to twelve miles from the court-house in Cumberland county: Your committee are therefore of opinion, that the prayer of the said petitioners is founded in justice, and do recom-

mend that a law be passed to carry into effect the said prayer, as your committee conceive it highly just and reasonable. Which is submitted. R. CLINTON, Ch.

The foregoing report was read, concurred with and sent to the House of Commons.

The bill to add part of Bladen county to Cumberland, was read, passed the first time and sent to the House of Commons.

Mr. Graham presented the memorial of Matthew Lock, Esq., which was read, referred to the committee of propositions and grievances and sent to the House of Commons.

Received from the House of Commons the following message:

Mr. Speaker and Gentlemen:

We have appointed Mr. Hamilton of Guilford, Mr. Lock, Mr. Davie, Mr. Jones, Mr. Stokes, Mr. Peete, Mr. Mebane and Mr. Person, to act with the gentlemen by you appointed to consider of the resolution proposed for calling a Convention to revise the constitution of this State. We propose that a Governor and Senator be balloted for to-morrow evening at four o'clock; and that the gentlemen formerly nominated for these offices respectively, be still continued in nomination.

Ordered, That the following message be sent to the House of Commons:

Mr. Speaker and Gentlemen:

We consent to ballot to-morrow evening agreeable to your proposition, for a Governor and Senator; and have added to your nomination for Senator the name of John Stokes, Esq. We also agree that the appointment of Justices and Field Officers, be made part of the business of Saturday next.

On motion of Mr. Macon, the House resolved, that whereas it appears to this General Assembly by the certificate of the Commissioner of confiscated property, that Thomas Overton, Esq., of Moore county, purchased at the sale of said property in said county, four hundred and eighty acres of land. And whereas it appears that a grant has issued through mistake for the said land to John Overton:

Resolved, therefore, That the Secretary be directed to take in said grant in the name of John Overton, and issue one to Thomas Overton for the aforesaid land. Sent for concurrence.

Mr. Willis delivered in the following report:

Your committee to whom was referred the resolve in favour of William Nall, late Sheriff of Wilkes county, report—That it is the opinion of your committee, that said resolve ought to be passed without the amendment proposed by the commons, as it appears that some of the insolvents and exemptions were allowed by the court after the time the said collection should have been made, and that they were deducted out of the Collector's accounts when judgment was entered against said Collectors. Which is submitted.

J. WILLIS, Ch.

The foregoing report was read, concurred with and sent to the House of Commons.

Mr. Willis also delivered in the following report:

Your Committee to whom was referred the memorial of James Samuel Purdie, report—That it appears to your committee that the said Purdie, Sheriff for the county of Bladen for the year 1786, did collect the taxes due from said county to the public for that year, and paid said monies into the public treasury, except that part of the said county which consisted of the 4th district—That the said county court appointed a Collector for said district a person who was not of full age, and who did not agreeable to his appointment enter into bond with security for the performance of the said collection—That he did pay into the hands of Mr. Purdie the sum of thirty-seven pounds seventeen shillings, half money and half certificates; which sum was all that Mr. Purdie had in his power to collect, owing to the Collector not giving bond as aforesaid—That the said county court of Bladen did not make allowance to Mr. Purdie for insolvents in said county until his account was posted with the Treasurer—That there was agreeable to the Clerk's certificate allowed the said Purdie for insolvents forty-one polls and five thousand three hundred acres of land. Your committee therefore are of opinion, that the Treasurer be directed to allow the said James Samuel Purdie the insolvents as aforesaid, and that he account for that part of the 4th district which he received, and no more. Which is submitted.

J. WILLIS, Ch.

The House taking this report into consideration concurred therewith.

Mr. Harget moved for leave and presented a bill for appointing Commissioners to extend the boundary line between this State and

the State of South-Carolina; which was read, passed the first time and sent to the House of Commons.

Mr. Clinton delivered in the following report:

Your committee to whom was referred the petition of the inhabitants of Mecklenburg county, report—That having duly considered the prayer of the said inhabitants, are of opinion, that the said county is too small for a division, and that the said petition should be rejected. Which is submitted. R. CLINTON, Ch.

The House taking this report into consideration, Resolved, That it be committed to the same committee, and that the following message be sent to the House of Commons:

Mr. Speaker and Gentlemen:

The report of the committee on the petition of the inhabitants of Mecklenburg county herewith sent you, we propose shall be committed to the same committee.

Received from the House of Commons a report of the committee on the petition of the inhabitants of Rutherford county, and a report of the committee on the petition of Thomas Riggs; each endorsed "Concurred with;" which being read, was also concurred with by this House and returned.

Received also a resolution directing that the duplicate of the ratification of the constitution of the United States be delivered to the Secretary of State; which was read, concurred with and returned.

Mr. Harget presented the memorial of Nicholas Eveleigh; which was read, referred on the part of the Senate to Mr. Gillespie, Mr. Harget and Mr. Ashe, and sent to the House of Commons, with the following message:

Mr. Speaker and Gentlemen:

Mr. Gillespie, Mr. Ashe and Mr. Harget will on the part of this House act with such gentlemen as you may appoint, to report on the petition of Nicholas Eveleigh herewith sent you. We also propose that this committee be instructed to report some plan of relief for all others situate in like manner with Mr. Eveleigh.

Received from the House of Commons the following message:

Mr. Speaker and Gentlemen:

We herewith send you a message which we propose shall be presented to His Excellency Samuel Johnston, Esq.

The foregoing being read, Ordered, That the following message be sent to the House of Commons:

Mr. Speaker and Gentlemen:

We approve of the message by you proposed to be presented his Excellency Samuel Johnston, Esq., and have appointed Mr. ——— —— on the part of this House to wait on and present him with the same.

The House adjourned till to-morrow morning 10 o'clock.

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SATURDAY, December 5, 1789.

The House met according to adjournment.

Received from the House of Commons the bill to amend an Act, entitled "An act directing the mode of proceeding against the real estate of deceased debtors, where the personal estate is insufficient for the payment of the debts," endorsed "Read the third time and passed."

Ordered That this bill be read; which being read, was passed the third time and ordered to be engrossed.

Mr. Lenoir moved for leave and presented a bill for establishing two places for holding general musters in the county of Wilkes, and the place of holding court-martial, and for altering the manner of holding elections of members to represent said county in the General Assembly; which being read, was passed the first time and sent to the House of Commons.

Received from the House of Commons a bill making process in equity in certain cases more effectual, endorsed "Read the first time and passed."

Ordered, That this bill be read; which being read, was passed the first time and sent to the House of Commons.

Received from the House of Commons the following message:

Mr. Speaker and Gentlemen:

We herewith send for your concurrence a message addressed to his Excellency the Governor; should it meet your approbation, Mr. Davie and Mr. Person will attend his Excellency with the same.

The foregoing being read, Ordered, That the following message be sent to the House of Commons:

Mr. Speaker and Gentlemen:

We agree to the message by you proposed to be presented his Ex-

cellency the Governor, and have appointed Mr. Macon and Mr. Skinner to attend with the gentlemen by you named and present him with with the same.

Mr. Hill delivered in the following report:

Your committee to whom the petition of James Miller was referred, report—That in the year 1780 the said Miller being Commissioner of confiscated property in the county of Rutherford, and provisions for the use of the army scarce and difficult to procure, was induced by an earnest desire to promote the public weal, to receive from Mrs. Mary Potts beef cattle to the amount of a bond she owed to a certain John Goodbread, then in arms and with the enemy, and whose property the said Miller conceived was confiscated and forfeited to the State, and gave the said Mary a receipt indemnifying her against said bond; which cattle the committee are induced to believe from information, was applied to the use of the State. That the said Goodbread hath since returned, instituted a suit against the said Mrs. Potts, and recovered the amount of said bond; and the said Miller by virtue of the receipt aforesaid, hath been compelled by verdict of a jury to pay the said judgment to Mrs. Potts, amounting to forty-eight pounds six shillings and three pence, and three pounds nine shillings and ten pence costs, as appears by the Clerk's certificate herewith presented.—The committee are of opinion, that the said Miller be allowed a certificate for the value of the said cattle, and that the Comptroller be directed to adjust his account, and make him such allowance for the same as the law empowers him to do in other cases where such supplies have been furnished, and that he grant Mr. Miller a specie certificate to the amount. Which is submitted. H. HILL, Ch.

The House taking this report into consideration, it was ordered that it lie for the consideration of the next Assembly.

Mr. M'Callister presented a petition of John M'Kethen, Sen., which was read, referred to the committee of propositions and grievances No. 1, and sent to the House of Commons.

Mr. Hill delivered in the following report:

Your committee to whom was referred the memorial of William Houston, praying an allowance as member of the late Convention, report—That the said Houston was elected one of the members of

the late Convention for Washington county; that by accident he foundered his horse and did not arrive until the Convention had risen: The committee are of opinion that the said Houston be paid only for returning home, and recommend that the Secretary of the late Convention be directed to issue a certificate accordingly. Which is submitted. H. HILL, Ch.

This report being read, was concurred with and sent to the House of Commons.

Mr. Carter presented the petition of William Griffin; which was read, referred to the committee of propositions and grievances No. 1, and sent to the House of Commons.

Received from the House of Commons the bill to amend an act, entitled "An act concerning proving of wills and granting letters of administration, and to prevent frauds in the management of intestates estates, endorsed "Read the third time and passed."

Ordered, That this bill be read; which being read, was amended by consent of the House of Commons, passed the third and last time, and ordered to be engrossed.

Mr. Brown presented the resignation of George Henry Berger, Esq., as Colonel of the Rowan regiment of militia; which was read, accepted and sent to the House of Commons.

The resignation of William McKinnie, Esq., as Colonel of Wayne regiment of militia, was read, accepted and sent to the House of Commons.

Mr. Clinton delivered in the following report:

Your Committee to whom was referred the petition of the inhabitants of Caswell county, report—That having taken into consideration the prayer of the said petitioners, are of opinion, that from the large extent of the said county, and the large number of inhabitants residing in the same, that it is just and reasonable that the said county should be divided into two distinct and separate counties, and that a law be passed to that effect. Which is submitted.

R. CLINTON, Ch.

The House taking this report into consideration concurred therewith; Whereupon,

Mr. Payne moved for leave and presented a bill for the dividing of the county of Caswell; which was read, passed the first time and sent to the House of Commons.

Mr. Sevier presented sundry depositions relative to the conduct of General Joseph Martin, as Indian Agent; which was referred to the committee appointed on the representation of General Martin, and sent to the House of Commons.

On motion, Ordered, That Mr. Benford have leave to absent himself from the service of this House after the 15th of the present month, and that Mr. Keaton have like permission after Saturday next.

On motion of Mr. Berger, Ordered, That the following message be sent to the House of Commons:

Mr. Speaker and Gentlemen:

The petition from the third battalion of Rowan county herewith sent you, we propose shall be reported on by the committee appointed on the petition from Hawkins county.

Received from the House of Commons the report of the committee on the petition of James Samuel Purdie, endorsed "Concurred with." Also a resolution removing Henry Finch from the exercise of the office of Justice of the Peace in the county of Johnston; which was read, concurred with and returned.

Received also the following message:

Mr. Speaker and Gentlemen:

We propose that the bill introduced to the General Assembly in 1786, to vest in James Forsyth, his heirs, &c., a tract of land, and the papers accompanying it, be referred to a joint committee, and that such committee report the propriety of passing such bill into a law; for this purpose we have appointed Mr. Mebane, Mr. Person and Mr. Lindley.

Ordered, That the following message be sent to the House of Commons:

Mr. Speaker and Gentlemen:

We agree that the bill to vest certain lands in James Forsyth be reported on by a joint committee, and have appointed Mr. Gillespie and Mr. Clay, to act with the gentlemen by you named for this purpose.

Received from the House of Commons a report of the committee on the petition of Nicholas Long, in behalf of himself and others, endorsed "Concurred with;" which being read, was also concurred with and returned.

Adjourned till 4 o'clock, p. m.

The House met according to adjournment.

Ordered, That the following message be sent to the House of Commons:

Mr. Speaker and Gentlemen:

We are now ready to proceed to balloting.

Received from the House of Commons the following message:

Mr. Speaker and Gentlemen:

We are also ready to proceed to balloting, and have appointed Mr. Hamilton and Mr. Blount to superintend the same.

On motion of Mr. Gregory, Resolved, That the thanks of the General Assembly be given to his Excellency Samuel Johnston, Esq., Governor, &c., of this State, for the very able and upright manner in which he has conducted himself during his administration.—Sent for concurrence.

Received by way of the House of Commons, the following message from his Excellency the Governor:

Gentlemen:

I shall with the most chearful and ready compliance, accommodate myself to the wishes of your honourable body, expressed in your message of this day.

My mind is impressed with the highest sense of gratitude by the honourable testimony which you have been pleased to hold forth, of your approbation of my conduct in the execution of the office of first magistrate of this state.

SAMUEL JOHNSTON.

The House adjourned until Monday morning 9 o'clock.

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MONDAY, December 7, 1789.

The House met according to adjournment.

Received from the House of Commons a resolution allowing the Judges of the superior court a certain sum therein mentioned; which being read, was on motion rejected.

Received from the House of Commons the following message:

Mr. Speaker and Gentlemen:

We herewith send you a letter from James Taylor, and propose that the Speakers of the two Houses be requested to write to the

Hon. Alexander Martin, Esq., informing him of his election to the chief magistracy of this State, and requesting him to come to this place and qualify.

Mr. Harget and Mr. Graham, from the joint balloting for Governor, &c., delivered in the following report.—That having executed the business of their appointment, they find on casting up the poll, that Alexander Martin, Esq., has a majority of votes as Governor, and that no person appeared to have a majority of votes as Senator from this State to the Congress of the United States.

The foregoing report being read,

Ordered, That the following message be sent to the House of Commons:

Mr. Speaker and Gentlemen:

This House have thought proper to with-hold their concurrence to the report from the late balloting for Governor, from a suggestion that the gentleman elected to that office is not eligible, and until he shall do away this apprehension, we propose that the Speakers of the two Houses be requested to acquaint Alexander Martin, Esq., of his having received a majority of the suffrages of the General Assembly as Governor and the suggestions as to his disqualification, and request his immediate attendance.

Received from the House of Commons the resolution of this House voting thanks to his Excellency Samuel Johnston, Esq., for his upright conduct as chief magistrate of this State, endorsed "Concurred with."

Received from the House of Commons the bill providing means for the payment of the domestic debt, for appropriating certain monies therein mentioned, and to amend an act passed at the last session of the General Assembly, entitled "An act for levying a tax for the support of government, and for the redemption of old paper currency, continental money, specie and other certificates, endorsed "Read the second time, amended and passed."

Ordered, That this bill be read; which being read, was amended, passed the second time in this House and returned.

On motion of Mr. Harget, Ordered, That the following message be sent to the House of Commons:

Mr. Speaker and Gentlemen:

We propose that the General Assembly ballot at four o'clock to-morrow evening, for the Senator yet to be made choice of to represent

this State in the Congress of the United States, a Brigadier-General for the district of Hillsborough, and a first and second Major of horse for the same district: We nominate for Senator the same gentlemen who were candidates on the last balloting for that appointment: For Brigadier-General Joseph Taylor, Esq. For first Major Lewis Bledsoe, and second Major Paul Jeffreys.

Received from the House of Commons the resolution of this House in favor of Thomas Overton, Esq., endorsed "Concurred with."

Read the resignation of Ambrose Ramsey, Esq., Brigadier-General for the district of Hillsborough; which was accepted and sent to the House of Commons.

Received from the House of Commons the resignation of Dempsey Moore, as first Major of the horse in the district of Hillsborough, endorsed "Accepted:" which being read, was accepted by this House and returned.

Received also a bill to amend an act, entitled "An act to regulate the descent of real estates, to do away entails, to make provision for widows, and to prevent frauds in the execution of last wills and testaments, endorsed "Read the first time and passed."

Ordered, That this bill be read; which being read, was on motion rejected.

Mr. Harget delivered in the following report:

Your committee to whom was referred the petition of Capt. Daniel Williams, beg leave to report.—That it is the opinion of your committee, a bill be passed into a law for the relief of the petitioner, as well as others similarly circumstanced. Which is submitted.

F. HARGET, Ch.

The foregoing report being read, was concurred with and sent to the House of Commons; Whereupon,

Mr. Harget moved for leave and presented a bill directing the Comptroller to settle such just claims of the officers and soldiers of the North-Carolina line as were passed by the Commissioners of army accounts at Warrenton, in 1786, and to liquidate the claims of the said line which have not heretofore been settled; which was read, passed the first time and sent to the House of Commons.

Mr. Skinner presented an extract from the treasury-office of the United States; which was read, referred to the Committee of finance, and sent to the House of Commons.

The House adjourned until to-morrow morning 9 o'clock.

TUESDAY, December 8, 1789.

Met according to adjournment.

Mr. Clinton delivered in the following report:

Your committee to whom was referred the memorial of Gen. James Armstrong, report.—That it appears to your committee that the said James Armstrong did act as Commissioner for selling the confiscated property in the district of New Bern, and that he faithfully performed said business, and settled his accounts with the Comptroller for the purchase money of said property and received a warrant from the Governor upon the Treasurer for the amount of his commissions. Your committee further report, that General Armstrong had compleated the whole of his business as Commissioner aforesaid, before the resolve of the General Assembly took place in the year 1785, whereby the Treasurer was directed not to pay any warrants granted for such services. Your committee conceive, that the resolve cannot affect the act of Assembly, and although it might have been the intention of the Assembly not to allow three per cent. in money, it appears that General Armstrong undertook the business, relying upon the law and the sanction of an act of Assembly, and as a faithful servant of the public. Your committee therefore conceive Gen. Armstrong to be entitled to three per cent. in money; and that the Treasurer pay the amount of his warrant accordingly. Which is submitted. R. CLINTON, Ch.

The House taking this report into consideration, Resolved, That they do not concur therewith, but that the same be rejected.

Received from the House of Commons a report of the committee appointed on the bill relative to an expedition against the Indians, endorsed "Concurred with;" which being read, was also concurred with by this house and returned. Also the bill to prescribe the mode of paying the militia officers and soldiers for their services in an expedition carried on against the Chickamagaw Indians by Brigadier-General Joseph Martin, in the year 1788, endorsed "Read the first time and passed."

Ordered, That this bill be read; which being read, was passed the second time in this house, and returned.

Received also the bill to cede to the United States certain lands therein mentioned, endorsed "Read the second time, amended and

passed;" which being read, was passed the second time in this House and returned.

Mr. Skinner moved for leave and presented a bill to repeal part of an act, entitled "An act for appointing an Agent and holding a treaty with the Cherokee Indians, and for other purposes;" which was read, passed the first time and sent to the House of Commons.

Received from the house of commons the following message:

Mr. Speaker and Gentlemen:

We have appointed Mr. Person and Mr. Davie to confer with two members of the Senate to adopt and report the mode by which Alexander Martin, Esq., shall be informed of his having a majority of the suffrages of the General Assembly for the office of Governor of the State; and that the Speakers of the two Houses be requested to acquaint him therewith.

Ordered, That the following message be sent to the House of Commons:

Mr. Speaker and Gentlemen:

Mr. Skinner and Mr. Lenoir will act on the part of this House with the gentlemen by you named for the purpose of reporting the manner in which Alexander Martin, Esq., shall be informed of his election to the office of Governor.

Received from the House of Commons the bill directing the mode of choosing Senators to represent this State in the Congress of the United States, endorsed "Read the second time, amended and passed."

Ordered, That this bill be read; which being read, was amended, passed the third time and returned.

Received also the bill to ratify the amendments to the constitution of the United States, endorsed "Read the third time, amended and passed."

Ordered, That this bill be read; which being read, was passed the third time and ordered to be engrossed.

Mr. Lenoir presented the resignation of James Howard, a Justice of the Peace for the county of Chatham; which was read, accepted and sent to the House of Commons.

Received from the House of Commons the bill to alter the times of holding the annual Assemblies of this State, endorsed "Read the second time and passed."

Ordered, That this bill be read; which being read, was on motion rejected.

Received also a report of the committee on the petition of John Row, endorsed "Concurred with;" which being read, was also concurred with by this House and returned.

Received also the following message:

Mr. Speaker and Gentlemen:

We concur with the message of your House of yesterday's date, proposing to ballot this evening for a Senator, Brigadier-General for the district of Hillsborough, &c. We approve of the nomination by you made.

Adjourned till 4 o'clock, P. M.

The House met according to adjournment.

Ordered, That the following message be sent to the House of commons:

Mr. Speaker and Gentlemen:

We are now ready to proceed to balloting, and have appointed Mr. Harget and Mr. Graham to superintend the same on the part of this House. We have added the name of Alexander Mebane, Esq. to the nomination for Brigadier-General for the district of Hillsborough.

Received from the House of Commons the resignation of William M'Kinnie, Esq., as Col. of the Wayne regiment of militia; the resignation of George H. Berger, as Col. of the Rowan regiment; and the resignation of Dempcey Moore, first Major in the regiment of horse in the district of Hillsborough; respectively endorsed "Accepted."

Received also the bill directing at what time the laws of this State shall be in force and have effect, and the bill directing the mode of proceeding on writs of mandamus; each endorsed "Read the second time and passed."

Ordered; That these bills be read; which being read, the first was passed the second time in this House and returned, and the latter on motion rejected.

Received from the House of Commons the following message:

Mr. Speaker and Gentlemen:

We have added Mr. John Mebane to the nomination for first Major for the cavalry of Hillsborough district. We propose that the gentlemen in nomination for militia officers having the greatest number of votes, be declared duly elected. Mr. T. Blount and Mr. Hamilton will superintend the balloting on the part of this House.

Ordered, That the following message be sent to the House of Commons:

Mr. Speaker and Gentlemen:

We agree that the candidates for the appointments of militia officers having the greatest number of votes, be returned elected.

Received from the House of Commons the following message:

Mr. Speaker and Gentlemen:

At the particular request of Alexander Mebane, Esq., his name is withdrawn from the nomination for Brigadier-General for the district of Hillsborough.

The House adjourned until to-morrow morning 9 o'clock.

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WEDNESDAY, December 9, 1789.

The House met according to adjournment.

Mr. Harget and Mr. Graham, appointed on the part of this House to superintend and conduct the balloting for a Senator to represent this State in the Congress of the United States, a Brigadier-General for the district of Hillsborough, &c., delivered in the following report:—That having executed the business of their appointment, they find on casting up the scrolls that Benjamin Hawkins, Esq., is elected Senator from this State to the Congress of the United States, by a majority of votes—That Alexander Mebane, Esq., is made choice of as Brigadier -General for the district of Hillsborough, Lewis Bledsoe first Major of the regiment of cavalry for the same district, and Paul Jeffreys second Major.

The House taking this report into consideration, concurred therewith.

Received from the House of Commons a bill the better to secure the collection of duties imposed on goods imported into this State, to regulate the harbours of Edenton, &c., and to direct the future inspection of tobacco at Murfreesborough; and a bill to enable the courts of pleas and quarter-sessions in this State to issue process to remove before them any of the judicial proceedings of the Justices of the Peace out of sessions; each endorsed "Read the first time and passed."

Ordered, That these bills be read; which being read, each was on motion rejected.

Mr. Harget presented a memorial of Benjamin Smith; which was

read, referred to the committee appointed on the petition of Nicholas Eveleigh, and sent to the House of Commons.

Ordered, That Mr. Gowdy and Mr. Clinton be added to this committee.

Mr. Graham presented the petition of William T. Lewis and Alexander Long; which was read, referred to the committee of propositions and grievances No. 1, and sent to the House of Commons.

Received from the House of Commons a bill to amend an act passed at Hillsborough in 1784, entitled "An act for regulating the pilotage and facilitating the navigation of Cape-Fear river," and to levy a tax in the counties, towns and districts therein mentioned, for the purpose of removing obstructions out of the said river, for keeping the same open, and appointing Commissioners for carrying the same into effect; endorsed "Read the first time and passed."

Ordered, That this bill be read; which being read, was passed the first time in this House and returned.

Received also from the House of Commons sundry recommendations of Justices and Field-officers in the several counties in this State, endorsed "Concurred with;" which being read, it was

Ordered, That the following message be sent to the House of Commons:

Mr. Speaker and Gentlemen:

The recommendations of Justices and Field-officers by you sent us we herewith return you concurred with, that for the county of Chowan excepted, which we have thought proper to reject.

Mr. Willis moved for leave and presented a bill to limit the claims against this State, and to prevent allowances in future to be made for specie certificates or paper money destroyed by accident or otherwise; which was read, passed the first time and sent to the House of Commons.

On motion of Mr. Riddick, Resolved, That each of the Judges of the Superior courts of law and equity of this State, be and they are hereby allowed the sum of seven pounds ten shillings for every court which they shall attend in the year 1790, in addition to the sum of fifty pounds for each court as heretofore allowed by law.—Sent for concurrence.

Mr. Hill delivered in the following report:

Your committee to whom the memorial of John Cade and Sampson Bridges was referred, praying an indulgence until the next General

Assembly for the payment of a sum of money they are sued for, and liable as securities for a certain Samuel Porter, Sheriff of Robeson county for the year 1786, report—That as the said Sheriff is insolvent, and the securities liable for the payment of a sum of money for which they received no satisfaction, and which if made by the sale of their property by execution will involve them in ruin and distress: Therefore the committee are induced to recommend, that the said John Cade and Sampson Bridges be indulged until the sitting of the next Assembly to pay the said deficiency, and that the Treasurer be directed not to sue out execution for the same until that period. Which is submitted. H. HILL, Ch.

This report being read, was concurred with and sent to the House of Commons.

On motion, Ordered, That Mr. Overton have leave to absent himself from the service of this House after to-morrow, during the remainder of the session; and that Mr. M'Kinnie have like permission after Sunday next.

Mr. Hill delivered in the following report:

Your committee to whom the memorial of Morris Baum and Hannah Pugh, administratrix of George Pugh, dec., was referred, praying an allowance for thirty-five pounds five shillings in certificates, which were in possession of George Pugh, on board of a vessel that overset and was lost with all the crew on the 9th of April last, on the bar of New-Inlet, report—That from satisfactory testimony it appears, that the sum of thirty-five pounds five shillings certificates were in possession of the said Pugh at the time of the vessel's oversetting, and were absolutely lost or destroyed.—The committee therefore recommend, that the Comptroller be directed to issue to said administratrix a certificate for the said thirty-five pounds five shillings. Which is submitted. H. HILL, Ch.

The foregoing report being read, was concurred with and sent to the House of Commons.

Mr. Speaker laid before the House a letter from Beverly Randolph, Esq., Governor of Virginia; which being read, Ordered, That the following message be sent to the House of Commons:

Mr. Speaker and Gentlemen:

We herewith send you a letter just received from the Governor of the State of Virginia, which we propose shall be reported on as soon as possible by a joint committee; and have appointed on the

part of this House, Mr. Smith, Mr. Macon, Mr. Blount and Mr. Sevier.

Received from the House of Commons a report of the committee appointed to report the manner by which Alexander Martin, Esq., shall be informed of his late election to the office of Governor, endorsed "Concurred with;" which being read, was also concurred with by this House and returned.

Received also the bill directing the manner of electing Representatives to represent this State in Congress, endorsed "Read the second time, amended and passed."

Ordered, That this bill be read; which being read, was also amended, passed the second time in this House and returned.

Received likewise the report of the committee of claims on the account of Isaac Titsworth and James M'Bee, endorsed "Concurred with."

The House adjourned until 4 o'clock P. M.

Met according to adjournment.

On motion of Mr. Macon, Ordered, That the following message be sent to the House of Commons:

Mr. Speaker and Gentlemen:

We have appointed Mr. Macon and Mr. Blount, who with such gentlemen as you may nominate, will wait on and acquaint Benjamin Hawkins, Esq., of his appointment as Senator from this State to the Congress of the United States.

Received from the House of Commons a report of the committee of Finance No. 5, relative to the money in the hands of the Treasurer unfit for circulation, and a resolution of the House of Commons in consequence thereof; which was read, concurred with and returned.

On motion of Mr. Blount, Resolved, That General Clarke be requested to furnish Dr. Williamson with such muster-rolls or other papers in his possession, as may be of use to this State in settling its army accounts with the United States; for which papers the Doctor will give him a receipt to be returned if required. Sent for concurrence.

Received from the House of Commons a resolution directing the Comptroller relative to forwarding to the Commissioners for settling the accounts of this State with the United States certain papers therein mentioned; which was read, concurred with and returned.

Ordered that the following message be sent to the House of commons:

Mr. Speaker and Gentlemen:

The resolution of your House directing the Comptroller relative to certain accounts by him to be furnished the Commissioners for settling the accounts of this State with the United States we return you concurred with.

The one which respects the muster rolls in the hands of General Clarke we have rejected, and sent you one herewith which we propose in lieu thereof.

Received from the House of Commons the bill to amend an act, entitled "An act for directing the method of appointing jurors in all cases civil and criminal," passed at Halifax in the year 1779, endorsed "Read the second time and passed." And the bill for levying a tax in the district of Salisbury for finishing the jail for the said district, endorsed "Read the third time and passed."

Ordered, That these bills be read; which being read, the first was passed the second time in this House and returned, and the latter the third and last time, and ordered to be engrossed.

Received also the petition of John Ingram and others, endorsed "Referred to the committee appointed on the petition of Lewis M'Pherson;" which was read, referred in like manner, and returned.

On motion, Ordered, That the following message be sent to the House of Commons

Mr. Speaker and Gentlemen:

We have added to the committee appointed on the bill for dividing Hawkins county, Mr. Carter, Mr. Blount and Mr. Easton.

Received from the House of Commons the following resolution:

Resolved, That James Glasgow, Esq. public Secretary, be allowed the sum of one hundred and ninety pounds for depreciation of his salary as Secretary aforesaid, from June 1777, until June, 1781.

A concurrence to this resolution being objected to by Mr. Graham, and the question called for and taken thereon, was carried in the affirmative: Whereupon the yeas and nays being required by Mr. Macon, seconded by Mr. Clinton, are as follows:

For a concurrence—Messieurs Easton, Eborn, Wynns, Bryan, Amis, Donaldson, Clay, Riddick, Skinner, Blount, Berger, Griffin,

Dickson, Mayo, Harget, Willis, Martin, Gowdy, Winston, Montgomery, Frazier, Brown, M'Dowall, Lenoir.—24.

For rejecting this resolution—Messieurs Paine, Hill, Nesbit, Lucas, Keaton, Kendall, Macon, Clinton, Hodge, Benford, Carter, Singleton, Graham.—13.

The House adjourned until to-morrow morning 9 o'clock.

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THURSDAY, December 10, 1789.

The House met according to adjournment.

Received from the House of Commons a memorial of Thomas Horsey, endorsed "Referred to the committee of propositions and grievances No. 1." A memorial of William Wood, endorsed "Referred to the same committee." And a memorial of John Wright, endorsed, "Referred to the committee of propositions and grievances No. 2;" which were read, respectively referred as by the House of Commons and returned.

Received also a bill to encourage the manufacture of pot-ash, endorsed "Read the first time and passed." And the bill to revive and continue in force, so far as respects the counties of Johnston, Bladen, Robeson, and Guilford, an act passed in the year 1786, entitled "An act empowering the several county courts therein mentioned to lay a tax," &c., endorsed "Read the second time and passed."

Ordered, That these bills be read; which being read, the former was passed the first, and the latter the second time in this House and returned.

Mr. Gillespie presented the petition of Thomas Bloodworth; which being read, was on the part of the Senate referred to Mr. Gillespie, Mr. Harget and Mr. Winston, and sent to the House of Commons.

Received from the House of Commons a resolution directing the Secretary of State relative to records in the hands of William Boyd, Sen., of Beaufort county; which was read, concurred with and returned.

Mr. Macon delivered in the following report:

Your committee, appointed to hear the excuses of members who failed to give their attendance at the present Assembly agreeably to law, report—That having heard the excuses made by the several delinquent members, are of opinion that they are sufficient, and ought to be admitted. Which is submitted. J. MACON, Ch.

The House taking this report into consideration, concurred therewith.

Received from the House of Commons the following message:

Mr. Speaker and Gentlemen:

We have on our parts appointed Mr. Stokes and Mr. Campbell, to attend with the gentlemen by you appointed on Benjamin Hawkins, Esq., and acquaint him with his election as a Senator to the Congress of the United States.

Received also the bill for dividing the county of Caswell, endorsed "Read the first time and passed."

Ordered, That this bill be read; which being read, was on motion ordered to lie for the consideration of the next Assembly.

The House adjourned until to-morrow morning 9 o'clock.

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FRIDAY, December 11, 1789.

The House met according to adjournment.

Mr. Brown presented the memorial of Joseph Leech, Esq., which was read, referred to the committee appointed on the memorial of Nicholas Eveleigh, and sent to the House of Commons.

Mr. Speaker laid before the House a letter from Benjamin Hawkins, Esq., addressed to the General Assembly, signifying his acceptance of the appointment of Senator from this State to the Congress of the United States; which was read and sent to the House of Commons.

On motion, Ordered, That Mr. William Brown have leave to absent himself from the service of this House after to-morrow, during the present session.

On motion of Mr. Bloodworth, Ordered, That the following message be sent to the House of Commons:

Mr. Speaker and Gentlemen:

We propose that the bill confirming unto Benjamin Williams, of Brunswick county, certain lands; also a grant for land herewith sent you in favour of James Glasgow, Esq., be submitted to a joint committee to report on, and have appointed Mr. Bloodworth, Mr. Harget and Mr. Riddick.

Mr. M'Dowall delivered in the following report:

Your committee to whom the report of a committee of the General

Assembly at New Bern in the year 1785, in favour of Green Hill, late Treasurer of Halifax district, was referred, report.—That it appears from the said report, that Green Hill whilst in office received from the several Sheriffs in said district in part of the public taxes, the sum of four hundred and sixty-seven thousand three hundred and fifty-nine dollars and a half, being one hundred and eighty-seven thousand and thirty-seven pounds fourteen shillings, which by the scale of depreciation was equal to two hundred and three pounds thirteen shillings, and six pence specie; which sum although counted and destroyed by the committee appointed agreeable to the directions of the Assembly, the said Hill in the settlement of his accounts with the late Treasurer Mr. Hunt, could not obtain a credit for.—The committee therefore are of opinion, that the said Green Hill is justly entitled to draw from the treasury the aforesaid sum of £233:13:6 specie, and recommend that the Treasurer be directed to pay him accordingly. Which is submitted. C. M'DOWALL, Ch.

The foregoing report being read, was concurred with and sent to the House of Commons.

Received from the House of Commons the bill to establish an university in this State, endorsed "Read the third time and passed."

Ordered, That this bill be read; which being read, was passed the third time and ordered to be engrossed.

Mr. Hill delivered in the following reports:

Your committee to whom was referred the petition of Peter Monroe, report—The claims of a similar nature to that of the said Peter Monroe does not properly come before the General Assembly, as there have been Boards of Auditors and the Comptroller appointed to adjust such claims, from the year 1787 up to the present year, where he should have made application had his claim been just, and shared the same fate as in like cases: Therefore your committee are of opinion that the said petition should be rejected. Which is submitted.

H. HILL, Ch.

Your committee to whom the petition of Robert Rayford was referred, report—That they are of opinion the said petition does not properly come before them; therefore they reject the same.

H. HILL, Ch.

Your committee to whom was referred the petition of Wilson Tay-

lor, Entry-taker of Nash county, report—That having taken into consideration the loss of the petitioner, and the distress in which it would involve the said Wilson and his family, to take a judgment against him immediately, and from a probability of said certificates being recovered again, as set forth in the petition, your committee are of opinion that it would be an act of lenity of the Assembly, to direct the Treasurer not to commence a suit against the said Taylor for the monies due by him as entry-taker of Nash county, until the first day of October next. Which is submitted.

H. HILL, Ch.

Your committee to whom was referred the petition of William Meredith, late Sheriff of Surry county report—That they are of opinion that the State should not be deprived of a part of its revenues by the negligence of any Sheriff, in not safe-keeping the public monies by him collected, and that the said petition should be rejected. Which is submitted. H. HILL, Ch.

Your committee to whom was referred the petition of James Spiller, Esq., having had before them the Hon. Samuel Spencer, and the said James Spiller, and having heard the several allegations against each other, report—That in their opinion the said James Spiller was not so culpable as to have a fine of fifty pounds and other punishments imposed on him; and it also appeared to the said committee, that the said James Spiller was imprisoned two days, and bound to security to keeping the peace for one year; which the committee conceive a sufficient punishment for the offences alleged to have been committed against the honourable the superior court, wherefore they are of opinion that the said James Spiller should be remitted the same. Which is submitted. H. HILL, Ch.

The foregoing reports being read, were severally concurred with, and sent to the House of Commons.

Received from the House of Commons a bill to amend an act passed at New Bern, in November, 1784, entitled "An act to explain, amend and supply the deficiencies of an act passed at Hillsborough, entitled "An act to regulate the descent of real estates, to do away entails, to make provision for widows and to prevent frauds in the execution of last wills and testaments, and directing how deeds of gift and bills of sale of slaves shall be executed, authenticated and perpetuated." A bill to repeal an act passed in 1784, entitled "An act to describe

and ascertain such persons who owed allegiance to the State, and to impose certain disqualifications on certain persons therein mentioned." And a bill to prevent the recovery of interest on bonds and notes as therein described. Severally endorsed "Read the first time and passed."

Ordered, That these bills be read; which being read, each was also passed the first time in this House and returned.

On motion of Mr. Harget, Resolved, That no bill during this Assembly shall be by motion laid over till the next Assembly, but the question shall be on the passage or rejection thereof.

Received from the House of Commons the following message:

Mr. Speaker and Gentlemen:

The bill confirming lands unto Benjamin Williams, and the grant of land in favour of James Glasgow, Esq., we agree shall be submitted to the consideration of a committee as by you proposed; and have on our parts appointed Mr. Stokes, Mr. Person, Mr. Campbell, Mr. Mebane and Mr. Brevard a committee for this purpose.

Received also the bill granting to the inhabitants of Tyrrel county the privilege of holding separate elections for members of Assembly, endorsed "Read the second time and passed;" and a bill to alter the time of electing members of the General Assembly in this State, endorsed "Read the first time and passed."

Ordered, That these bills be read; which being read, the first was passed the third, and the latter the first time in this House and returned.

Received likewise the bill to limit the claims against this State, and to prevent allowances in future to be made for specie certificates or paper money destroyed by accident or otherwise; and the bill directing the mode of paying the members of the General Assembly; each endorsed "Read the first time and passed."

Ordered, That these bills be read; which being read, each was on motion rejected.

Received likewise a report of the committee on the petition of Thomas Amis and Francis Peyrinnaut, endorsed "Concurred with;" which being read, was also concurred with by this house and returned.

Received likewise a resolution allowing the Judges of the superior

court a sum therein mentioned; which being read, ordered, That the following message be sent to the House of Commons:

Mr. Speaker and Gentlemen:

We will concur with the resolution of your House allowing the Judges a sum therein mentioned, provided you will erase the words "the whole of the term."

Received from the House of Commons the bill for the more easy redemption of mortgages; and the bill for promoting the revenue of the State by securing payment for vacant lands; each endorsed "Read the second time and passed."

Ordered, That these bills be read; which being read, the first was passed the second time in this House and returned, and the latter on motion rejected.

A reconsideration of the report of the committee on the petition of James Armstrong, Esq., late Commissioner of confiscated property in the district of New Bern, being moved for by Mr. Blount, and the report taken up and read, was concurred with and sent to the House of Commons.

Received from the House of Commons a resolution relative to the warrants in the hands of Thomas Benbury, Esq., drawn in favour of Nicholas Long; and a resolution directing that no bill of a private nature be received after a fixed day; which being read, the first was concurred with and returned, and the latter on motion rejected.

Received also the bill making process in equity more effectual, and a bill for appointing Commissioners to extend the boundary line between this State and the State of South-Carolina, each endorsed "Read the first time and passed:" And a bill directing the Collectors of imposts and other duties to collect the same for the use of this State, until the Congress of the United States shall make provision for that purpose.

Ordered, That these bills be read; which being read, were passed the first time in this house and returned.

Received likewise a bill for allowing the Judge of Mero district a further sum, as a compensation for his travelling to the said Mero district through the wilderness; and a bill the better to regulate the inspection of tobacco; each endorsed "Read the first time and passed."

Ordered, That these bills be read; which being read, were passed the first time in this House and returned.

Mr. Bloodworth presented the memorial of Francis Child; which

was read, referred to the committee of propositions and grievances and sent to the House of Commons.

Adjourned till 4 o'clock, P. M.

The House met according to adjournment.

Mr. Amis presented the memorial of P. Travers; which was read, referred to the committee of propositions and grievances No. 1, and sent to the House of Commons.

On motion of Mr. Smith, Ordered, That the following message be sent to the House of Commons:

Mr. Speaker and Gentlemen:

We have added to the committee appointed to report on the memorial of Thomas Evans, Mr. Gillespie and Mr. Carter.

Mr. Gillespie moved for leave and presented a bill to enable William Beaty, administrator of the estate of James White, late of Bladen county, to sell certain lands, &c., which was read, passed the first time and sent to the House of Commons.

Received from the House of Commons the bill to amend an act, entitled "An act for directing the method of appointing jurors in all cases, civil and criminal," passed at Halifax in the year 1779; and the bill to repeal the fifty-sixth section of an act passed at New Bern in the year 1777, entitled "An act for establishing courts of law, and for regulating the proceedings therein; each endorsed "Read the second time and passed."

Ordered, That these bills be read; which being read, the first was passed the third, and the latter the second time in this House and returned.

The House adjourned until to-morrow morning 9 o'clock.

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SATURDAY, December 12, 1789.

Met according to adjournment.

Received from the House of Commons the bill to emancipate certain negroes therein mentioned. The bill to prescribe the mode of paying the militia officers and soldiers for their services in an expedition carried on against the Chickamagaw Indians, by Brigadier-General Joseph Martin, in 1788. And the bill to empower the wardens of the poor for the counties of Franklin, Orange and Surry, to build a house or houses for the reception of the poor, and for amend-

ing the Wilmington town law. Each endorsed "Read the second time and passed."

Ordered, That these bills be read; which being read, the first was passed the second, and the two latter the third time in this House and returned.

Mr. Willis delivered in the following report:

Your committee to whom was referred the memorial of William H. Beaty, report—That after taking the memorial under their consideration and other papers relative thereto, your committee are of opinion, that as James White died very much involved in debt, that it would greatly distress his numerous family to sell off the personal part of the estate to discharge his said debts—And as there appears to be considerable of landed property that is at present of no use towards the support of the family of the deceased, and the administrator and widow praying that the two tracts of land, lying in Bladen county, on Black River, and one house and lot in Elizabeth-Town, might be sold, in order to discharge the debts due from the said estate—Your committee do therefore recommend that a law be passed, empowering the said administrator to sell the two tracts of land, and the house and lot aforesaid, and as the General Assembly have in many cases interferred to remedy those agrieved in similar circumstances, it appears to your committee that the necessity of the case will justify the interposition of the Legislature. Which is submitted. JOHN WILLIS, Ch.

The foregoing report being read, was concurred with and sent to the House of Commons.

Received from the House of Commons the bill to annex the county of Anson to Fayetteville district, and to regulate the appointment of jurors to Fayetteville superior court, endorsed "Read the second time and passed:" And a bill to establish the title of certain lands therein mentioned, endorsed "Read the first time and passed."

Ordered, That these bills be read; which being read, the first was passed the second, and the latter the first time in this House and returned.

Mr. Blount presented the resignation of John Cains, as a Justice of the Peace and Lieutenant-Colonel for the county of Brunswick; which was read, accepted and sent to the House of commons.

Mr. Willis presented the petitions of Francis Owen and Ann Mea-

dows; each of which was read, referred to the committee of propositions and grievances and sent to the House of Commons.

The bill to repeal part of an act, entitled "An act to explain an act directing the duty of Naval-officers, and all masters of vessels coming into the ports and inlets of this State," was amended by consent of the House of Commons, passed the third and last time and ordered to be engrossed.

Received from the House of Commons the bill for the purpose of ceding to the United States of America certain western lands therein described, endorsed "Read the third time and passed."

Ordered, That this bill be read; which being read, was passed the third time and ordered to be engrossed.

The yeas and nays being required on the passage of this bill by Mr. Bloodworth, seconded by Mr. Gowdy, as follows, viz:

For the passage of this bill—Messieurs Easton, J. Johnston, Eborn, Ashe, Wynns, Amis, Donaldson, Payne, Lucas, Riddick, Skinner, Blount, Griffin, Keaton, Dixon, Mayo, Harget, Willis, M'Kinnie, Winston, Smith, Montgomery, Frazier, Overton, Carter, Arnold, Gillespie, Sevier, Nesbit, Herritage.—30.

Against the passage of this bill—Messieurs M'Callister, Berger, Kendal, Bloodworth, Clinton, Gowdy, Benford, Lenoir, Singleton, Graham, Thomas Brown, M'Dowall, Lanier.—13.

Received from the House of Commons a resolution relative to printing several acts, &c., of the present Assembly for the information of the public; which was read, concurred with and returned.

Mr. Lenoir delivered in the following report:

The sub-committee of finance, No. 8, to whom was referred that part of the Treasurer's message to the General Assembly, which respects certain due bills, issued by the commissioners of army accounts at Warrenton, in 1786, and tendered to him by Memucan Hunt, Esq., late Treasurer, report—That on examination, they find eight due bills of the description aforesaid, amounting in the whole to three hundred and seventy-three pounds, five shillings and four-pence, were received by Mr. Hunt, when Treasurer, on account of the public, and were placed to the credit of Henry Scott, then sheriff of Hyde county. This being the case, the committee are of opinion, that as Mr. Hunt received these due bills in his official capacity, and placed them to the credit of a sheriff, as aforesaid, and that more especially as he received them under the sanction of a law then in force, and many

days before the General Assembly of 1786, thought proper, by their resolution to forbid revenue officers from receiving such, they ought in justice pass to his credit, they being in fact not his, but the property of the public from the hour in which they were so received as aforesaid.—Your committee therefore report the following resolution:

Resolved, That the public Treasurer be, and he is hereby required and directed to pay unto Memucan Hunt, Esq., late Treasurer of this State, the sum of three hundred and seventy-three pounds, five shillings and four pence, being the amount of eight due bills, which appear to have been received by Mr. Hunt, for the use of the State. when Treasurer as aforesaid, and which were by him placed to the credit of Henry Scott, the sheriff of Hyde county; the Treasurer reserving and keeping in his office, the affidavit of Mr. Hunt, which at present encloses the said due bills, to the end that if upon a re-examination, these due bills should be found to be unsupported and fraudulently obtained, the public may have their remedy not only against the person by whom they were paid into the Treasury, but also against the person by whom they were drawn out of the Commissioners office. Which is submitted. WILLIAM LENOIR, Ch.

The foregoing report being read, a concurrence therewith was objected to by Mr. Skinner, and the question called for and taken, was carried in the affirmative; whereupon the yeas and nays being required by Mr. Skinner, seconded by Mr. Gowdy, are as follow, viz:

For concurring with the report—Messieurs Easton, Wynns, Blount, Griffin, Bloodworth, Dickson, Harget, Willis, Gowdy, Benford, Lenoir, Arnold, Carter, Singleton, Gillespie and Sevier.—16.

Against concurring with the report—Messieurs M'Allister, Hill, Riddick, Skinner, Berger, Kendall, Mayo, Clinton, Winston, Frazier, Graham, Nesbit, Brown and Lanier.—14.

So the report was concurred with and sent to the House of Commons.

Received from the House of Commons the bill to annex part of Burke county to the county of Wilkes. The Bill to invest an indefeasible right of inheritance in Charles, Alley and Prudence Oggs, the surviving natural children of the late John Oggs, of the county of Pasquotank, of such property as was bequeathed to them and their deceased brother Jesse Oggs. And the bill to invest in Jeremiah and Robert Field, an indefeasible right to such property as was granted

to them by their father in the year 1776; each endorsed "Read the second time and passed."

Ordered, That these bills be read; which being read, each was also passed the second time in this House and returned.

Received also the bill to empower the wardens of the poor for the county of Currituck, to lay a tax to enable them to settle the arrears due from the said county to persons who have supported the poor; endorsed "Read the third time and passed." And the bill to empower certain persons therein named to sue for and recover all such bequests, donations, benefactions and other things as have heretofore been bequeathed, given or made by any person or persons whatsoever for the use of the congregation or society of the Episcopal communion of New Bern; endorsed "Read the second time and passed."

Ordered, That these bills be read; which being read, the first was passed the third time and ordered to be engrossed, and the latter the second time, and returned.

Received likewise a report of the committee on the letter from the Governor of Virginia, and a resolution of the House of Commons in consequence thereof, each of which being read, was concurred with and returned.

The House adjourned until Monday morning 9 o'clock.

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MONDAY, December 14, 1789.

The House met according to adjournment.

Received from the House of Commons the petition of William Griffin, and the petition of John M'Kethan, each endorsed, "Read and referred as by the Senate;" also the report of the committee on the petition of sundry of the inhabitants of Anson county, endorsed, "Concurred with."

Received also a report of the committee on the petition of Charles Dicks, a report on the petition of William Morrison, and the report on the petition of William H. Beaty, each endorsed, "Concurred with;" which being read, were concurred with by this House and returned.

Received likewise a petition of John M'Neil, a petition of John Brevard, and a petition of Lewis Beard, each endorsed, "Referred to the committee of propositions and grievances No. 2;" which being

read, were severally referred in like manner by this House, and returned.

Mr. Hill delivered in the following reports:

The committee to whom was referred the petition of James Newland, praying an allowance to be made him for taking a writ to Orange county for the election of a member to fill the vacancy in the representation of that county, by the death of General Butler, one of the members in the year 1786, report—That as the said Newland does not prove any damage or expence he had incurred by such conveyance, they are of opinion, and recommend that the petition be rejected.

H. HILL, Ch.

Your committee to whom the memorial of sundry inhabitants of the counties of Montgomery, Anson and Richmond, was referred, praying an act of indemnity to be passed in favour of Edwin Ingram, for all manner of actions which are or hereafter may be instituted against him for false imprisonment, in apprehending and confining certain persons charged with horse stealing, &c., report—That passing an act of indemnity agreeably to the prayer of the said petition, would be highly impolitic, and a dangerous precedent, and in their opinion ought by no means to be complied with, therefore they beg leave to recommend that the petition be rejected. Which is submitted.

H. HILL, Ch.

The House taking these reports into consideration, concurred therewith.

Received from the House of Commons the following reports, viz: A report of the committee on the petition of sundry of the inhabitants of the district of Salisbury, a report on the petition of Daniel M'Carthy, a report on the petition of Thomas Viverett, a report on the petition of Matthew Lock, Esq., a report on the petition of Henry Smaw, and a report on the petition of Samuel Westray; respectively endorsed "Read and concurred with;" which being read, were severally concurred with and returned.

Received also a representation of Richard Blackledge, a memorial of Thomas Haslin, a memorial of Thomas Jones, a memorial of William Gilbert, and a memorial of Robert Martin; each endorsed "Referred to the committee of propositions and grievances No. 2;" which being read, were referred in like manner by this House and returned.

Received likewise the report of the committee on the memorial

of Hance Hamilton, a report of the committee on the petition of sundry of the inhabitants living on French Broad river, the report on the petition of sundry inhabitants of Hawkins county, and the report on the petition of sundry inhabitants of Iredell county; respectively endorsed "Concurred with."

Mr. Harget presented the petition of Winston Caswell; which was read, referred to the committee appointed on the petition of Nicholas Eveleigh and sent to the House of Commons.

Received from the House of Commons a resolution in favour of James English, Jeremiah Early and Co. which was read, concurred with and returned.

Received also a bill to amend and provide for the deficiencies of the revenue laws of this State, endorsed "Read the first time and passed."

Ordered, That this bill be read; which being read, was passed the first time in this House and returned.

Received likewise a bill for the relief of the inhabitants on the south side of French Broad river. A bill to amend and enlarge an act passed at Tarborough in the year 1789, entitled "An act authorizing and empowering the county courts of pleas and quarter-sessions to divide and appropriate the real estate of the intestates." A supplemental bill to the act, entitled "An act concerning old titles of land, for limitation of actions, and for avoiding suits at law." A bill for cutting a canal from Juniper Bay to Mattamuskeet Lake, in Hyde county. A bill to alter the names of Nancy, John and Keziah Lytle, children of Sarah Nichols, formerly Sarah Lytle, of the town of Hillsborough. And a bill to empower Alcie Ross and John Allison to sell and dispose of so much of the real estate of Andrew Ross, deceased, as will be sufficient to satisfy a debt due to the State for the purchase of certain confiscated lands, and for directing the Treasurer to stop the prosecution of the suit instituted against John Taylor, Esq., a security for the said Andrew Ross. Severally endorsed "Read the first time and passed."

Ordered, That these bills be read; which being read, were passed the first time in this House and returned.

Mr. Harget delivered in the following report:

Your committee to whom was referred the petition of John Estis, of the county of Orange, report—That the said John Estis did, in the year 1782, enter into co-partnership with Nicholas Long, Jun.,

and James Williams, then of Hillsborough, for the purchase of confiscated property then to be sold at the sales of the Commissioner of confiscated property of Orange county, held on the 29th of December, 1782—It appears the said John Estis, Nicholas Long, Jun., and James Williams, did purchase several tracts of land, amounting in the whole to four thousand five hundred and ninety-one pounds; two-thirds of which was to be paid in certificates, which was paid down by the concerned, the other third in money; and at the same time the said John Estis entered into bond with the said James Williams, agreeable to law, in the sum of three thousand one hundred and four pounds, thirteen shillings and four pence, when at the same time the land was by law referred to the State, as a security for the payment of the principal of the purchase remaining undischarged: Some time after, viz. in the year 1786, the said co-partnership was by mutual consent dissolved, when the concern agreed that James Williams should obtain grants in his own name, for the lands so purchased, he paying the debt due to the State, whereby the said John Estis relinquished all claim to the lands purchased by the concern, whilst he remained said Williams's security for the remaining part of the debt then due to the State—And the said Williams, as soon as he obtained titles, removing to the State of Georgia, without discharging the debt aforesaid, leaving no other property for that purpose but the lands purchased as aforesaid, which circumstances induced the Treasurer to institute a suit against the said John Estis, as security aforesaid, for the recovery of the money due as aforesaid. All these facts appearing to the satisfaction of your committee, they are of opinion, in order that the security may not be injured, that a law be passed empowering the said John Estis and Alexander Mebane, to sell all, or so much of the said lands and lots as will be of value sufficient to discharge the said debt and exonerate the securities, they giving the purchasers credit till the sitting of the next Assembly, for all lands so sold, taking bond, with sufficient security, payable to the Governor for the time being. All which is submitted. F. HARGETT, Ch.

The House taking this report into consideration, concurred therewith: Whereupon, Mr. Harget moved for leave and presented a bill for allowing a further time for the securities of James Williams, Esq., to make payment for certain lands therein mentioned; which was read, passed the first time and sent to the House of Commons.

Received from the House of Commons a report of the committee

on the letters from Hugh Williamson and Abishai Thomas, Esquires; and a report of the committee of finance on the recognizances of Francis Brice and Daniel M'Niel; each endorsed "Read and concurred with;" which being read, were also concurred with by this House and returned.

Mr. Graham moved for leave and presented a bill empowering the superior courts of law and equity, and the Secretary of the State, to correct certain patents and grants therein described, where there have been errors by the Surveyors in making returns, or by the Secretary in issuing the same; and empowering the county courts and Registers to correct errors in like manner; which was read, passed the first time and sent to the House of Commons.

Received from the House of Commons a report of the committee on the return of the Commissioners appointed to examine and punch certificates, &c., in the hands of the Comptroller; endorsed "Concurred with;" which being read, was also concurred with by this House and returned.

On motion of Mr. Harget, Resolved, That the several committees be directed to report on all the matters submitted to them by Wednesday next.

Received from the House of Commons the bill to invest an indefeasible right of inheritance in Charles, Alley and Prudence Oggs, the surviving natural children of the late John Oggs, of the county of Pasquotank, of such property as was bequeathed to them and their deceased brother Jesse Oggs; endorsed "Read the third time and passed." And the bill directing the sale of the salt-licks and springs within the district of Mero; endorsed "Read the first time and passed."

Ordered, That these bills be read; which being read, the first was passed the third and last time and ordered to be engrossed; and the latter the second in this House and returned.

Mr. Harget delivered in the following report:

The committee to whom was referred the memorial of Benjamin Sheppard, report—That it appears to your committee that Benjamin Sheppard, a superintendant Commissioner of confiscated property in the district of New Bern, in obedience to an act of the General Assembly, sold the house and lot in the town of New Bern, the property of Samuel Cornell, for twenty-one hundred and sixty pounds: That pursuant to said act he paid the Delegates in Congress fourteen

hundred and forty pounds: That by an act passed the same session, entitled "An act for the relief of the officers," the line were to be paid such a proportion of the money due them from the State, out of the first monies that should arise from the sales of confiscated property: That the said Benjamin Sheppard, in compliance with the last recited act, paid to the officers of the said line, the sum of six hundred and ninety-eight pounds ten shillings, as appears by the Comptroller's certificate, which together with his commissions, fully balanced his account with the public for the purchase money of said house and lot: That at the ensuing session, in May 1783, the General Assembly resolved, that the said Benjamin Sheppard should pay the above sum of six hundred and ninety-eight pounds ten shillings into the treasury; which it appears from the vouchers produced, he accordingly did—Your committee from the above state, report, that there has been paid into the treasury the sum of six hundred sixty-four pounds ten shillings, which belongs to the said Benjamin Sheppard. The above facts are submitted. F. HARGET, Ch.

The House taking this report into consideration concurred therewith; and

Resolved, That the Treasurer be and he is hereby directed to pay unto Benjamin Sheppard the aforesaid sum of six hundred and forty-four pounds ten shillings, and receive from the said Sheppard the certificates issued by Coor and Hawks for the said sum. Sent for concurrence.

Mr. Clinton delivered in the following report:

The committee on the petition of the inhabitants of Sullivan and part of Washington, report—That on strictly enquiring into the legality and justice of the allegations in the said petition set forth, and giving due weight to the testimony in support of them, your committee are of opinion, that they are not sufficiently supported, and do recommend that the said petition be laid over until the next Assembly. Which is submitted. R. CLINTON, Ch.

The House taking this report into consideration concurred therewith.

On motion, Ordered, That Mr. Singleton have leave to absent himself from the service of this House after Friday next, during the present session.

Mr. Bloodworth moved for leave and presented a bill to amend an act, entitled "An act to encourage the building of public mills, and

directing the duty of millers," passed in the year 1777; which was read, passed the first time and sent to the House of Commons.

Received from the House of Commons the bill to authorise and empower James Billingsby to execute a deed or deeds, agreeable to a power of attorney and the last will and testament of William Rea, late of Guilford county, dec. The bill to repeal part of an act passed at New Bern, entitled "An act to divide the district of Morgan." Each endorsed "Read the first time and passed." And the bill to add part of Bladen county to Cumberland, endorsed "Read the second time and passed."

Ordered, That these bills be read; which being read, the two first were passed the second, and the latter the third time in this House and returned.

On motion of Mr. Riddick, the House entered into the following resolution:

Whereas it appears to this General Assembly that sundry persons in this State have made entries for land with the Entry-officers agreeable to law, when in fact there was no vacant land, or only part, to satisfy such entry; in which case the law says the person making such entries shall receive their money again, but no method is pointed out by law: For remedy whereof,

Resolved, That the Treasurer pay unto such person as aforesaid, all such sums in certificates as shall appear hath actually been paid into the treasury by virtue of such entry as aforesaid, first obtaining a certificate from the Clerk of the court of the county where the entry was made, that the person claiming such money or certificates had made it appear to the satisfaction of said court that the money or certificates so claimed was actually paid into the treasury; which proof shall be made to the court by the Entry-taker, and also a certificate from the surveyor of the county, that there was no vacant land, or what part, to satisfy such entry.—Sent for concurrence.

Received from the House of Commons the petition of Francis Owen, the petition of Winston Caswell, the petition of Ann Meadows, and the memorial of Patrick Travers, severally endorsed "Read and referred as by the Senate." Also a petition of Jennet Burgess, endorsed "Referred to the committee appointed on the petition of Lewis M'Pherson;" and a petition of Richard Blackledge, endorsed "Referred to the committee of propositions and grievances No. 1;" which were read, referred in like manner by this House and returned.

Received from the House of Commons the bill to amend an act, entitled "An act to prevent the exportation of unmerchantable commodities." The bill to incorporate the tradesmen and manufacturers of the towns of Edenton, New Bern, Wilmington and Washington. And the bill to amend an act for the better regulation of the town of Edenton. Severally endorsed "Read the second time and passed."

Ordered, That these bills be read; which being read, the first was passed the third time in this House and returned, and the latter two on motion rejected.

Received also a bill directing the Sheriffs how to proceed in levying executions to them issued, and in the disposal of goods and chattels, lands and tenements taken in execution. A bill for appointing Commissioners in the county of Greene for building a court-house, prison and stocks in said county, and for levying a tax for defraying the expences thereof. And the bill for levying a further tax in the district of New Bern, and for calling to account the Commissioners of the same. Severally endorsed "Read the first time and passed."

Ordered, That these bills be read; which being read, the first two were passed the first time in this House and returned, and the latter on motion rejected.

The House adjourned until to-morrow morning 9 o'clock.

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TUESDAY, December 15, 1789.

The House met according to adjournment.

Received from the House of Commons the bill to vest certain lands therein mentioned, in the Monthly Meeting of the people called Quakers, of New-Garden in Guilford county; endorsed "Read the third time and passed."

Ordered, That this bill be read; which being read, was passed the third time and ordered to be engrossed.

Mr. Arnold presented the resignation of Stephen Pace, a Justice of the peace for the county of Anson; which was read, accepted and sent to the House of Commons.

Received from the House of Commons a resolution allowing James Mulloy a sum therein mentioned; which being read, was rejected.

Mr. Clinton delivered in the following report:

Your committee to whom was referred the petition of the inhabitants of Washington county, report—That from the testimony ad-

duced, it appears to the satisfaction of your committee, that the grievances set forth in the petition are founded in fact and well supported, from which it appears that the court-house in said county is fixed so near the west end thereof, that the inhabitants in the east end of the county are subjected to many inconveniences in attending the duties by law required of them, being, on a moderate computation, obliged to travel upwards of sixty miles, through mountains and water courses almost impassable, to get the places where public business is transacted. It also appears that the said county is upwards of ninety miles in length, and about forty miles in width, and contains about two thousand polls, and by dividing it agreeably to the prayer of the petitioners, will in no wise affect the moving of the court-house from the place it now stands, as the place where it is now fixed will be as near the centre of the county in which it will fall, as can be fixed on to erect public buildings for the use and convenience of the inhabitants. Your committee considering all these circumstances, giving each its due weight, and being actuated with the motives of common justice, do unanimously recommend that the present General Assembly pass a law to divide the said county of Washington, agreeably to the prayer of the petitioners. Which is submitted.

R. CLINTON, Ch.

The House taking this report into consideration, Resolved, That they do concur therewith.

On motion of Mr. T. Brown, Ordered, That the following message be sent to the House of Commons:

Mr. Speaker and Gentlemen:

It having been made known to this House that the official information intended for the honourable Alexander Martin, Esq., relative to the election of Governor, has failed to be received; we now propose that two gentlemen from each house be appointed to wait on and give Mr. Martin this information, he being in town; for which we have appointed Mr. Thomas Brown and Mr. Galloway.

Mr. Gillespie presented the memorial of John Herritage; which was read, referred on the part of the Senate to Mr. Paine, Mr. Gillespie and Mr. Harget, and sent to the House of Commons.

Mr. Bloodworth presented the deposition of Thomas Amis, relative to a certificate issued by William Kirkpatrick, late a county Com-

missioner; which was read, referred to Mr. Winston, Mr. Gillespie and Mr. Blount on the part of the Senate and sent to the House of Commons.

Received from the House of Commons a resolution allowing Obadiah Martin Benge a sum therein mentioned; which being read, was rejected.

On motion of Mr. Galloway the house resolved as follows:

Whereas it hath been made appear to this General Assembly, that Messrs. Williamson and Bachap, merchants, in Guilford, did by mistake of the county court thereof in the law laying a tax on goods imported into this State by land, pay the sum of thirty-five pounds, being at five per cent. instead of two and a half, agreeable to law passed for that purpose. Therefore,

Resolved, That the Treasurer be and he is hereby directed to pay to the said Messrs. Williamson and Bachap the sum of seventeen pounds ten shillings, it being the amount of the error, and that he be allowed the same. Sent for concurrence.

Mr. Sevier delivered in the following report:

The committee to whom was referred the petition of James Hinton, respecting a certificate consumed by fire, report—That your committee after taking the petition and testimony relative thereto into consideration, are of opinion that the certificate was consumed as set forth in the petition, that it was genuine, and that the Comptroller be directed to issue another to the same amount, viz. for sixty pounds and six pence. Which is submitted. J. SEVIER, Ch.

Mr. Lenoir delivered in the following report:

Your committee to whom the petition of Gasper Smith was referred, report—That by the deposition of the said Gasper and Henry Smith, corroborated by the information of several members of your honourable house, it appears that the said Gasper Smith had in the month of February, 1788, his house consumed by fire, in which was burned specie certificates to the amount of one hundred and six pounds and six shillings. Your committee are therefore of opinion, as the certificates are actually destroyed, that the Comptroller be directed to issue to the said Gasper Smith a certificate for the sum of one hundred and six pounds six shillings, being the amount of the certificates destroyed as aforesaid. Which is submitted.

W. LENOIR, Ch.

Mr. M'Dowall delivered in the following report:

Your committee to whom the memorial of Major Thomas Evans was referred, report—That your committee are of opinion, the Secretary of State be directed to issue warrants to the officers and soldiers of the said battalion for the quantity of land by law allowed them, on their producing a certificate of the officer commanding his or their company, countersigned by the commandant of the battalion. Which is submitted. C. M'DOWALL, Ch.

The House taking these reports into consideration, concurred therewith.

Received from the House of Commons the following message:

Mr. Speaker and Gentlemen:

We agree to the proposition of your house for giving information to the honourable Alexander Martin, Esq., of the appointment of a Governor, and have appointed Mr. J. G. Blount and Mr. Person, to act with the gentlemen by you appointed for this purpose.

The house adjourned until 4 o'clock P. M.

Met according to adjournment.

Mr. Blount delivered in the following report:

The committee to whom was referred the letter from Brigadier-General Joseph Martin, Agent of Indian affairs, to Alexander M'Gillivray, of the 8th of Nov., 1788, together with sundry other papers touching and respecting the said letter, report—That it appears the said Joseph Martin was in the exercise of his duty when he enclosed to the said M'Gillivray the resolutions of Congress mentioned in the first and second paragraphs of the said letter; and that the object of the said Martin in writing the third and last paragraph, was merely to gain the good will of the said M'Gillivray and obtain a restoration of his horses, and not to injure the United States, or any of them. The said committee to whom was also referred sundry depositions respecting the said Martin, report—That depositions of a similar import have years past been laid before the General Assembly, and the committee do not find them to contain any matter sufficient to criminate said Martin. Which is submitted.

W. BLOUNT, Ch.

Mr. Skinner delivered in the following report:

The committee to whom was referred the memorial of Richard Blackledge, report—That they have examined the facts set forth in

the memorial, and are of opinion that if the said Blackledge shall deliver at Washington, to Mr. Etheldred Phillips, or Mr. Daniel Carthy, agent of Mr. Royal Flint, fifty-six thousand nine hundred and thirty-one pounds of inspected tobacco of the second class, on or before the fifth day of February next, and obtain a receipt for the same, that the Treasurer be required to receive the said receipt in full for the judgment by him obtained against the said R. Blackledge. Which is submitted. J. SKINNER, Ch.

The house taking these reports into consideration concurred therewith.

Received from the House of Commons the resolution of this House in favour of Messrs. Williamson and Bachap, endorsed "Concurred with." Also two resolutions of the House of Commons, one directing that the Collectors of the imposts at the several ports be furnished with certain acts of this Assembly, the other directing the Printers relative to publishing a statement of the certificates punched, and dollar bills destroyed, &c., in the Comptroller's office; which were read, concurred with and returned.

Mr. Harget moved for leave and presented a bill for dividing the county of Dobbs; which was read, passed the first time and sent to the House of Commons.

Received from the House of Commons a resolution directing the Sheriff of Burke county relative to certain county taxes; which was read, concurred with and returned.

Received also the bill to establish a public inspection of tobacco in Clarksville, in the county of Tennessee, endorsed "Read the second time and passed." And a bill to amend an act passed in 1770, entitled "An act for opening and improving the navigation of Lower Little river in Cumberland county, endorsed "Read the first time and passed."

Ordered, That these bills be read; which being read, the first was passed the second time in this house and returned, and the latter on motion rejected.

The house adjourned until to-morrow morning 9 o'clock.

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WEDNESDAY, December 16, 1789.

The House met according to adjournment.

Mr. Harget delivered in the following report:

Your committee to whom the petition of Benjamin Smith was referred, report—That having taken the same under their serious consideration, and examined testimony in support thereof, they are of opinion that a compliance with the latter proposition therein mentioned, will be attended with the following benefits to the State—1st. A great extent of bog, which is now of no value to the State, nor ever can be in the condition it lies in at present, by suffering the entries to be removed, will pay a large tax to the State and employ a number of people.

2dly. By draining the swamp it will make also the adjacent country much more wholesome, correcting and purifying the air, now infected with malignant vapors, rising continually from so large a tract of mire and filthiness.

3rdly. It will become fit for cultivation, and increase the valuable exports of the State, being particularly adapted to rice and hemp.

4thly. The canal that drains the swamp, making a passage to the mouth of Little River, will raise that place to a port of some consequence when the produce of Waccamaw and the adjacent country may be advantageously sold within the State instead of being carried out of it to George-Town.

Your committee therefore unanimously recommend that it be resolved that Benjamin Smith be allowed to remove his entries out of the office of John Armstrong, and that the certificates by him paid in part thereof, and what remains due, when paid to the Treasurer, either in certificates or cash at the rate of four shillings for every twenty, be passed to his credit for any entries to be made in Brunswick county or in Bladen county, on the branches of Waccamaw River, and that he be considered as required within six months from the passing this resolution, to make up the entries equal in quantity to what was entered by him in said Armstrong's office, observing to enter the said land on Waccamaw and the branches thereof, in such parcels as is required by the acts of Assembly to be made in the eastern parts of this State: And provided, that nothing herein contained shall be confirmed to injure the rights of any persons who heretofore legally entered any of the above mentioned land prior to the said Benjamin Smith. Which is submitted.

F. HARGET, Ch.

This report being read, was concurred with and sent to the House

of Commons: Whereupon the yeas and nays being required by Mr. Graham, seconded by Mr. Thomas Brown, are as follows, viz:

For concurring with the report—Messieurs Easton, Donaldson, Lucas, Blount, Berger, Griffin, Bloodworth, Harget, Willis, Gowdy, Winston, Smith, Skinner, Arnold, Singleton, Gillespie, Sevier, M'Dowall, Herritage and Lanier.—20.

Against concurring and for rejecting this report—Messieurs Wynns, Bryan, Payne, Hill, Mayo, Riddick, Dickson, Galloway, Clinton, Montgomery, Graham, Nesbit and Brown.—13.

Received from the House of Commons the report on the petition of Jonas Hinton, the report on the petition of John Cade, the report in favour of Green Hill, the report on the memorial of General Martin, the report on the petition of Gasper Smith, the report on the petition of Morris Baum, the report on the petition of sundry the inhabitants of Montgomery county, the report on the memorial of James Newland, the report on the petition of the inhabitants of Washington and Sullivan counties, the report on the petition of William H. Beaty, the report on the petition of Wilson Taylor, the report on the petition of the inhabitants of Tyrrel county; the report on the petition of Peter Monroe, the report on the petition of William Houston, the report on the petition of Robert Gilkey, and the report on the petition of William Meredith; respectively endorsed "Concurred with."

Received also a resolution in favor of Thomas Parker; which was read, concurred with and returned.

Mr. Harget delivered in the following report:

The Committee to whom was referred the memorial of Thomas Bloodworth, Commissioner of the specific tax in New-Hanover county for 1780, report—That having examined into the allegations set forth in the said memorial, find them to be founded upon truth, and supported by incontestible testimony, and that the public stores of the specific tax collected in Wilmington and at the Long Bridge, were immediately upon the approach of Major Craige and the British forces in Cape-Fear river put on board a vessel, together with all the vouchers and papers belonging to the said stores, and sent up said river in order to escape the enemy, but were overtaken by them, and the said vessel, stores and papers set on fire by the enemy and consumed, which rendered it impossible for the said Bloodworth to settle his accounts with the State for said specific tax: Therefore your

committee are of opinion, that the Comptroller be directed to close the account of the said Thomas Bloodworth, as Commissioner aforesaid; and as the said tax was collected and some part thereof issued to the public troops, your committee are further of opinion, that the Comptroller should be directed to issue unto the said Thomas Bloodworth, a certificate for the commissions on collecting said tax, agreeable to the Clerk's return for the taxable property for the year 1780 aforesaid. Which is submitted. F. HARGET, Ch.

Mr. Hill delivered in the following report:

Your committee to whom was referred the memorial of Roger Jones, late Sheriff of Franklin county, report—That the said Sheriff received due-bills to the amount of his arrearages, and such as undoubtedly are good, yet refused by the Treasurer, and as the small sum in arrear, though of no great advantage to the public, yet might distress said memorialist, your committee therefore are of opinion, that the prayer of the said memorial should be granted, and that the Treasurer be directed to stay the execution taken against the said Jones for the arrearages aforesaid, until the next Assembly. Which is submitted. H. HILL, Ch.

Mr. Clinton delivered in the following report:

The committee on the petition of the inhabitants of Dobbs county, report—That on hearing the testimony for and against the allegations in the said petition set forth, due respect being paid to both, your committee are of opinion that the extent of the said county and the number of polls contained, are too small to admit of a division, and that the prayer of the petitioners arose altogether from party faction, therefore reject the petition. Which is submitted.

R. CLINTON, Ch.

The house taking these reports into consideration, concurred therewith.

Received from the House of Commons the report on the petition of James Spiller, and the report on the petition of Robert Rayford, each endorsed "Concurred with."

Mr. Blount delivered in the following report:

The committee to whom was referred the certificate and report respecting Mr. Bloodworth, report—That it is the opinion of the committee that the Comptroller be directed to balance the account of Mr. Bloodworth on the public books, and that the Attorney General

be directed to commence a suit on the part of the State, against the sheriff of Bladen, who passed the said certificate to Mr. Bloodworth, or such other person as he shall judge proper. Which is submitted.

W. BLOUNT, Ch.

The House taking this report into consideration concurred therewith.

Received from the House of Commons the bill to confirm unto Benjamin Williams an indefeasible title to a certain piece of land in Brunswick county, endorsed "Read the second time and passed."

Ordered, That this bill be read; which being read, was passed the third time and returned.

Received also the bill providing means for the payment of the domestic debt, for appropriating certain monies therein mentioned, and to amend an act passed the last session of Assembly, entitled "An act for levying a tax for the support of government, and for the redemption of the old paper currency, continental money, specie and other certificates, endorsed "Read the third time, amended and passed."

Ordered, That this bill be read; which being read, was amended by consent of the House of Commons, passed the third time and ordered to be engrossed.

The yeas and nays on the passage of this bill being required by Mr. Graham, seconded by Mr. Ashe, are as follows:

For the passage of this bill—Messieurs Easton, J. Johnston, M'Allister, Wynns, Bryan, Amis, Paine, Lucas, Riddick, Skinner, Blount, Griffin, Keaton, Bloodworth, Dixon, Mayo, Harget, Gowdy, Winston, Montgomery, Hodge, Benford, Carter, Gillespie, Sevier, Thomas Brown, Herritage, Lanier.—28.

Against the passage of this bill and for rejecting it—Messieurs Ashe, Hill, Berger, Galloway, Clinton, Lenoir, Singleton, Graham, Nesbit, M'Dowall.—10.

A reconsideration of the resolution by this House rejected, allowing James Mulloy a sum therein mentioned for going express and procuring a commission for Judge M'Nary, was moved by Mr. Gillespie; and the resolution being taken up and read, was concurred with and sent to the House of Commons.

Upon which the yeas and nays being required by Mr. Harget, seconded by Mr. Hill, are as follows:

For reconsidering and concurring with this resolution—Messieurs

Wynns, Amis, Donaldson, Skinner, Blount, Berger, Keaton, Galloway, Martin, Gowdy, Hodge, Montgomery, Carter, Arnold, Singleton, Gillespie, Sevier, M'Dowall, Lanier—19.

Against a reconsideration of this resolution—Messieurs Easton, M'Allister, Paine, Hill, Reddick, Griffin, Kendal, Bloodworth, Mayo, Harget, Willis, Clinton, Winston, Graham, Nesbit, T. Brown, Herritage.—17.

The report of the committee of finance relative to the public tobacco being read, it was on motion of Mr. Gillespie, seconded by Mr. Clinton,

Ordered, That the following message be sent to the House of Commons:

Mr. Speaker and Gentlemen:

The report of the committee herewith sent relative to public tobacco, we propose shall be committed, the information thereby given relative to the tobacco purchased at this place, not being sufficiently explicit.

On motion of Mr. Blount, the house entered into the following resolution:

Whereas the act, entitled "An act for restraining the taking of excessive usury," passed in the year ——, is not generally known in this State, from which circumstance many transactions against the said act, are passed over with impunity:

Resolved, That the public Printer be and he is hereby directed to publish the said law with the acts of this present session. And Resolved, That it shall be the duty of every court in this State to give the said act in charge to the grand jury. Sent for concurrence.

On motion of Mr. Blount, the house also Resolved, That the Governor be and hereby is instructed, without delay, to forward an authenticated copy of the "Act for the purpose of ceding to the United States certain western lands therein described," to the Senators from this State in the Congress of the United States, together with the following resolution.

Resolved, That the Senators and Representatives from this State in the Congress of the United States of America, are hereby instructed to use their endeavours to obtain as early as possible an acceptance of the land by this State intended to be ceded by the aforesaid act, for the purpose of ceding to the United States of America certain western lands therein described. Sent for concurrence.

Adjourned till 4 o'clock, P. M.

The House met according to adjournment.

Received from the House of Commons a resolution directing the public Treasurer to advance a sum therein mentioned to the Comptroller; which being read, was rejected, and the following substituted in lieu thereof:

Resolved, That the Treasurer advance to the Comptroller the sum of one hundred pounds, to defray the expence of sending such vouchers and accounts to Edenton, as may be necessary to support and establish the claims of this State against the United States; and that the Comptroller shall hereafter account with the General Assembly for the money so received. Sent for concurrence.

On motion of Mr. Galloway, Ordered, That the following message be sent to the House of Commons:

Mr. Speaker and Gentlemen:

This House have resumed the consideration of the report from the late balloting for Governor, and concurred therewith, in consequence of which we propose that two members from each house, be appointed to wait on and inform the Hon. Alexander Martin, Esq., that the General Assembly will to-morrow, at 12 o'clock, be ready to receive and qualify him as Governor; should you accede to this proposition, Mr. Galloway and Mr. Thomas Brown will act on the part of this House for the above mentioned purpose.

Received from the House of Commons the bill to enable Thomas Callender, acting executor of the last will of Parker Quince, late of New-Hanover county, dec., and the other persons therein named, to make sale of certain lands and tenements, part of the residuary estate of the said Parker Quince, endorsed "Read the second time and passed." And the bill to revive and continue in force, so far as respects the counties of Robeson, Guilford, Bladen and Johnston, an act passed in the year 1786, entitled "An act empowering the several county courts therein mentioned to lay a tax," &c. Also the bill for laying off a town on the lands of John Marriner in Tyrrel county, endorsed "Read the third time and passed."

Ordered, That these bills be read; which being read, the first was passed the third time and returned, and the two latter the last time, and ordered to be engrossed.

Received also from the House of Commons the bill for the promotion of learning in the county of Currituck, and to amend the Wilmington academy law, endorsed "Read the second time and passed."

And the bill for establishing two places for holding general musters in the county of Wilkes, and the place of holding courts-martial, and for altering the manner of holding elections of members to represent said county in the General Assembly, endorsed "Read the first time and passed."

Ordered, That these bills be read; which being read, the first was passed the third, and the latter the first time in this house and returned.

Received likewise the bill to erect a public provision store in the county of Hawkins, for the accommodation of the Cumberland guard, and the bill to incorporate a society of persons by the name of Centre Benevolent Society; each endorsed "Read the second time and passed." Also a bill to confirm unto William Boykin an indefeasible title to certain lands therein mentioned, and a bill to empower Joel Rice and James Cole Mountflorence to build tobacco warehouses on the public lot in the town of Nashville, and to receive storage of tobacco inspected thereat; each endorsed "Read the first time and passed."

Ordered, That these bills be read; which being read, the two first were passed the second time in this house and returned, and the two last on motion rejected.

The house adjourned till to-morrow morning 10 o'clock.

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THURSDAY, December 17, 1789.

The House met according to adjournment.

Received from the House of Commons the resolution directing the Representatives of this State in Congress relative to the late cession act, and the resolution directing that the statute of usury be printed with the acts of the present session; each endorsed "Read and concurred with."

Received also the bill to annex the county of Anson to Fayetteville district, and to regulate the appointment of jurors to Fayetteville superior court. The bill to annex part of Burke county to the county of Wilkes. And the bill to emancipate certain negroes therein mentioned. Each endorsed "Read the third time and passed."

Ordered, That these bills be read; which being read, were severally passed the third and last time and ordered to be engrossed.

Received likewise the bill directing the mode of raising a fund in

the several ports in this State for the support of sick seamen, and the manner of appropriating the same; and the bill to form part of the militia of Rowan county into a separate battalion; each endorsed "Read the second time and passed." Also a bill for opening a waggon road from White's mill in Hawkins county, to Bledsoe's lick in Sumner county, endorsed "Read the first time and passed."

Ordered, That these bills be read; which being read, the first two were passed the second, and the latter the first time in this house and returned.

Received likewise a report of the committee appointed to receive of the Treasurer and burn the money unfit for circulation, and a resolution directing that the bill commonly called the certificate bill be printed for the information of the public; which were read, concurred with and returned.

Received likewise a bill for raising a revenue for the payment of the civil list and contingent charges of government for the year 1790, endorsed "Read the first time and passed."

Ordered, That this bill be read; which being read, was amended, passed the second time and returned.

Received from the House of Commons a resolution directing that the court law, passed in 1777, be printed with the laws of the present session; which was read, concurred with and returned.

On motion of Mr. Galloway, Ordered, That the following message be sent to the House of Commons:

Mr. Speaker and Gentlemen:

Agreeable to the determination of the two houses of yesterday, we are now ready to proceed to the qualification of the Hon. Alexander Martin, Esq., and have appointed Mr. Galloway and Mr. T. Brown on the part of this house to wait on and conduct him into the presence of the General Assembly.

On motion, Ordered, That Mr. Hill have leave to withdraw for amendment the bill to amend and provide for the deficiencies of the revenue laws of this State.

Mr. Brown, who had leave to withdraw for amendment the bill for the relief of securities in joint obligations, delivered in the same with the amendments; which was read, passed the second time and sent to the House of Commons.

Received from the House of Commons the following message:

Mr. Speaker and Gentlemen:

Mr. Stokes and Mr. Person will on the part of this house wait on and conduct the Hon. Alexander Martin, Esq., into the presence of the General Assembly in order that he may qualify as Governor, and propose that the two houses assemble in the commons room for this purpose.

Ordered, That the following message be sent to the House of Commons:

Mr. Speaker and Gentlemen:

We consent to assemble in the room where the House of Commons sit in order to qualify Alexander Martin, Esq., as by you proposed.

The two houses being now assembled, Mr. T. Brown and Mr. Galloway on the part of the Senate, and Mr. Stokes and Mr. Person on the part of the House of Commons, agreeable to order conducted the Hon. Alexander Martin, Esq., into their presence, who after taking the oath of allegiance to this State, and the oath of office, withdrew; and the two houses again proceeded to business.

The bill for the more easy redemption of mortgages was read the third time and passed.

On motion of Mr. Graham, Resolved, That the Comptroller be informed that he has leave to proceed to Hillsborough as soon as he may find it convenient, in order to prepare and forward to Edenton the vouchers and other papers which are to be delivered to the Agents for settling the accounts of this State with the United States. Sent for concurrence.

Mr. Harget delivered in the following report:

Your committee to whom was referred the memorial of Winston Caswell, executor of the late Hon. Richard Caswell, deceased, report—That they are of opinion the memorial should be laid over until the next General Assembly, it being now too late in the session to enter into an investigation of so important a matter. Your committee beg leave to recommend, that a resolve be passed, directing the Treasurer not to bring suit against Winston Caswell for the sum with which he stands charged on his books, until after the next General Assembly. Which is submitted. F. HARGET, Ch.

The House taking this report into consideration concurred therewith.

Mr. Graham who had leave to withdraw for amendment the bill for processioning lands in this State, delivered in the same with the

amendments; which was read, passed the second time and sent to the House of Commons.

Mr. Harget delivered in the following report:

The committee to whom was referred the memorial of Joseph Leech, Esq., report—That they have examined the statement of the committee of the last General Assembly on that business, and investigated the same from papers and other information, and find from the statement which was then made, and which they approve, that there was then due to the said Joseph Leech, the sum of six hundred and twenty pounds, fifteen shillings and ten pence, in certificates, and the sum of seventeen hundred and thirty-seven pounds, fifteen shillings and eight-pence half-penny, in money, one thousand of which has been paid him by the Treasurer, in obedience to a resolve of the last General Assembly, and that there is still due him the sum of seven hundred and thirty-seven pounds, fifteen shillings and eight-pence half-penny, for which, we are of opinion, he ought to have an order on the Treasurer. Which is submitted. F. HARGET, Ch.

The House taking this report into consideration concurred therewith: Whereupon,

Resolved, That the public Treasurer be and he is hereby required to pay unto Joseph Leech, Esq., the sum of seven hundred and thirty-seven pounds fifteen shillings and eight pence, that sum being reported in his favour by a committee of the present Assembly, and for which the said Treasurer shall be allowed. Sent for concurrence.

Received from the House of Commons the report of the committee on the memorial of Benj. Sheppard, and the report of the committee on the memorial of Gen. Armstrong, each endorsed "Concurred with."

Received also the bill for dividing the county of Dobbs, endorsed "Read the first time and passed."

Ordered, That this bill be read; which being read, was passed the second time in this House and returned.

Mr. Harget delivered in the following report:

The committee to whom was referred the memorial of Nicholas Eveleigh, report—That it clearly appears to your committee from Governor Caswell's letter to the said Eveleigh, and from an indented certificate, No. 1, dated the 20th of November, 1779, signed by Richard Caswell, then Governor of this State, setting forth that the said Nicholas Eveleigh has deposited twenty-three thousand three hundred and fifty-five dollars in his hands, for the purpose of paying

bounties to the militia ordered into the service of South Carolina and Georgia, according to an act of Assembly passed at Halifax the 10th day of November, 1779. Your committee therefore are of opinion, that for the relief of the said Nicholas Eveleigh, the Comptroller be directed to scale the said certificate agreeable to the scale of depreciation, and add the interest thereon from the date, to the principal, and then grant unto the said Nicholas Eveleigh a certificate for the three-fourths of the amount, which shall be upon the same footing of Auditor's specie certificates, and one other certificate for the other fourth of the amount, which shall call for prompt payment in cash, and be paid off by the Treasurer accordingly. Your committee, agreeable to your instructions, have taken into consideration a plan for the relief of all other persons holding certificates of the exact description of that of Mr. Eveleigh, and are of opinion that they should be admitted to exhibit their certificates to the Comptroller, and to be passed upon by him in the same manner as is hereby described for the relief of Mr. Eveleigh, and their certificates to be upon the same footing: And the Comptroller be directed to keep a separate report book and set of checks for such certificates, and report to the next General Assembly what number of certificates, and to what amount he has granted, pursuant to this. Which is submitted.

F. HARGET, Ch.

The house taking this report into consideration concurred therewith.

Received from the House of Commons the following message:

Mr. Speaker and Gentlemen:

We propose that the General Assembly proceed to ballot, at four o'clock to-morrow evening, for a Council of State, Colonel of artillery, Commissioner of confiscated property for the district of Hillsborough, and a judge of the maritime court of Port Beaufort. We nominate for Councillors—John Hamilton of Guilford, James Galloway, Samuel Strudwick, Traugott Bagge, Memucan Hunt, Maxwell Chambers, James Holland, Joseph Winston, John Williams, Anthony Newman, James Taylor, William Little, Charles Bruce, Nathaniel Macon, Wyatt Hawkins, Griffith Rutherford, James Hunter, Henry W. Harrington and Spruce M'Kay, Esquires. We nominate for Colonel of artillery—John B. Ashe, Esq. For Commissioner of confiscated property for the district of Hillsborough—James Mebane, Esq. And

for a judge of the maritime court of Port Beaufort, Abner Neale, Esq.

The foregoing being read, Ordered, That the following message be sent to the House of Commons:

Mr. Speaker and Gentlemen:

We agree to ballot to-morrow evening as by you proposed for a Council of State, Judge of the maritime court for Port Beaufort, and Col. of artillery, and approve of the nomination by you made, and have added to the nomination of Councillors by you made, James Gillespie, Joel Lane, William M'Clain, Thos. Polk and Thos. Person. For Col.—Scott Cray and Nathaniel Allen. We have rejected your proposition relative to the appointment of a Commissioner of confiscation. At the request of Joseph Winston, Esq., his name is withdrawn from the nomination of Councillors.

Received from the House of Commons the following message:

Mr. Speaker and Gentlemen:

We have received the report of the committee on the memorial of Richard Blackledge, with which we do not concur, and propose that the report of the committee be recommitted, and that the committee be directed to report to-morrow morning.

Ordered, That the following message be sent to the House of Commons:

Mr. Speaker and Gentlemen:

We agree to commit the report on the petition of Richard Blackledge, and that the committee be requested to report to-morrow.

Received from the House of Commons a report of the committee of finance No. 4, endorsed "Concurred with;" which being read, was amended by consent of the House of Commons, concurred with by the Senate and returned.

Received also a report on the petition of James Elliott, a report on the petition of Dempcey Moore, a report on the petition of John Shankle, a report on the memorial of Cosimo Medici, a report on the memorial of Jane Simpson, a report on the petition of John Armstrong, a report on the memorial of Nancy Horah; a report on the petition of James Greenlee, a report on the petition of William T. Lewis, a report on the petition of George Hoskins, a report on the petition of Joseph Cuningham, and a report on the petition of John Allison and John Taylor; respectively endorsed "Concurred with;"

which being read, were severally concurred with by this house and returned.

The House adjourned until to-morrow morning 10 o'clock.

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FRIDAY, December 18, 1789.

The House met according to adjournment.

Read the memorial of James Withrow, Esq., Sheriff of Rutherford: Whereupon,

Resolved, That he have until the first day of May next to close his accounts as Sheriff aforesaid, and that the Treasurer conduct himself accordingly. Sent for concurrence.

Received from the House of Commons the bill to enable William Beaty, administrator of the estate of James White, late of Bladen county, to sell certain lands, &c., endorsed "Read the first time and passed;" and the bill for erecting a town on the lands of Fergus Sloan, and to amend an act for the division of Rowan county, endorsed "Read the second time and passed."

Ordered, That these bills be read; which being read, were passed the second time in this house and returned.

Mr. Bloodworth, who had leave to withdraw for amendment the bill to authorise the county courts in this State to annually elect a certain number of Justices in each county to attend to the business thereof, and to constitute a quorum in each county, and to impeach and try all officers guilty of misdemeanors in office under their appointment, delivered in the same with the amendments; which was read, passed the second time and sent to the House of Commons.

Received from the House of Commons a report on the petition of Thomas Haslin, endorsed "Concurred with;" which being read, was on motion rejected.

On motion of Mr. Skinner the house entered into the following resolution:

Whereas it is represented to this Assembly that by reason of the Justices appointed in the county of Rutherford for receiving lists of taxable property failing to comply with the duties by law enjoined them, the taxes due from the said county have not been paid into the treasury, whereby the officers appointed for the collection thereof

are likely to be sufferers, and the State greatly injured thereby: Therefore,

Resolved, That the Clerk of the court of Rutherford be and he is hereby directed and strictly enjoined, to make return to the next Assembly of the names of the Justices appointed to take lists of taxable property in the county aforesaid, the court at which they were so appointed, and when the returns were made, in order that further proceedings may be had thereon. Sent for concurrence.

Received from the House of Commons the bill directing the Comptroller to settle such just claims of the officers and soldiers of the North-Carolina line as was passed by the Commissioners of army accounts at Warrenton, 1786, and to liquidate the claims of the said line which have not heretofore been settled; endorsed "Read the first time and passed."

Ordered, That this bill be read; which being read, was passed the second time in this House and returned.

Mr. Harget delivered in the following report:

The committee to whom was referred the memorial of John Drew, report—That the said memorialist exhibited to your committee continental loan-office certificates to the amount of four thousand four hundred dollars, dated in March 1779, which being reduced by the scale of depreciation at seven and a half for one makes two hundred and thirty-four pounds good money, and the interest thereon up to the present date one hundred and fifty pounds thirteen shillings and four pence, making in all the sum of three hundred and eighty-five pounds three shillings and ten pence; which sum your committee are of opinion that the General Assembly shall direct the Treasurer to pay the said John Drew, and take up said certificates, as they will pass to the credit of this State with the United States equal to so much hard money, and the Comptroller upon the Treasurer's taking up such certificates shall raise an account against the United States for the same. Which is submitted. F. HARGET, Ch.

The House taking this report into consideration, Resolved, That they do not concur therewith, but that the same be rejected.

Received from the House of Commons a report of the committee on the memorial of John Eaton, endorsed "Concurred with;" which being read, was on motion committed to the same committee.

Received from the House of Commons the following message:
Mr. Speaker and Gentlemen:

We propose that the resolution of your house in favour of James Withrow be amended by inserting the word *May* instead of *April;* if you will agree to this amendment we will then concur with the resolution.

Ordered, That the following message be sent to the House of Commons:

Mr. Speaker and Gentlemen:

We have amended the resolution in favour of James Withrow as by you proposed. We also agree that the committee burn as much of the money in the hands of the Treasurer unfit for circulation as will be equal to the sinking fund tax for 1789, and propose that this committee be directed to burn the whole of the ragged money in the hands of the Treasurer unfit for further use, and have added Mr. Skinner and Mr. Galloway thereto.

Mr. Smith presented a representation of the Treasurer, on the account of Thomas Martin, Sheriff of Sumner; which was read, referred to the committee of propositions and grievances and sent to the House of Commons.

Whereas by a resolution of the General Assembly held at Tarborough in the year 1787, the sale of a certain tract of land by the name of Green Ponds, lying in Bertie county in this State, formerly the property of Henry E. M'Culloch, by the Commissioners of confiscated property for the district of Edenton, was made void, it having been made fully appear to them, that there had been a contract between John Johnston and M'Culloch, prior to the commencement of the war. And it was then further resolved, that the said John Johnston should give his bond with security to the Governor for the time being, to be filed in the Treasurer's office, for the sum of one thousand and eighty pounds, the purchase money of said land, and the interest; and it appearing from the certificate of the Treasurer, that the said bond hath been filed in his office: And it having been made appear to this Assembly, that the said Johnston, before the Assembly at Tarborough aforesaid entered into the said resolution, had paid into the hands of the Commissioner aforesaid, the sum of two thousand and seven pounds twelve shillings in specie certificates:

Resolved, That the said John Johnston be and he is hereby allowed at the rate of 4 shillings in the pound for the said certificates, and that the Treasurer give him credit on his bond for the same. Sent for concurrence.

Mr. Gillespie delivered in the following report:

The committee to whom was referred the memorial of John Herritage, Esq., report—That it appears to your committee that the memorialist was appointed one of the Commissioners of confiscated property in the county of Dobbs, and that he executed a separate bond for the faithful performance of the duties of the appointment—That it further appears, that the said memorialist hath not received any of the property deemed liable to confiscation, except a specie certificate to the amount of five hundred and ninety-two pounds and four pence, which he received of Mr. Jesse Cobb, of Dobbs county, for the payment of two debts due by the said Cobb, viz. one to Cumming, Warwick and Co. of two hundred pounds, the other debt due to John Alexander, amounting to three hundred and ninety-two pounds, amounting in the whole to five hundred and ninety-two pounds; which certificate he hath returned to Mr. Cobb, agreeably to a resolve of the last General Assembly. It also further appears, that Mr. Herritage hath not been concerned in any sales or purchase of confiscated property, except the sum of thirty-four pounds fourteen shillings and nine pence, which he yet owes for purchases made, which sum he is ready to pay. Which is submitted. J. GILLESPIE, Ch.

The house taking this report into consideration concurred therewith; Whereupon,

Resolved, That the Comptroller be and he is hereby required to debit John Herritage, Esq., for the sum of thirty-four pounds fourteen shillings and nine pence, it being a balance due the State for confiscated property purchased at a sale in Dobbs county. Sent for concurrence.

Received from the House of Commons the bill for allowing the Judge of Mero district a further sum, as a compensation for his travelling to the said Mero district through the wilderness; and the bill to empower Alcie Ross to sell part of the estate of Andrew Ross, dec. each endorsed "Read the first time and passed."

Ordered, That these bills be read; which being read, the first was passed the second time in this House and returned, and the latter on motion rejected.

Adjourned till 4 o'clock, P. M.

The House met according to adjournment.

On motion of Mr. Lenoir, Ordered, That the following message be sent to the House of Commons:

Mr. Speaker and Gentlemen:

We have added to the nomination of Councillors Mr. Jesse Franklin, and are now ready to proceed to balloting; and have appointed Mr. Montgomery and Mr. Graham to superintend the same on the part of this House.

Received from the House of Commons the report of the committee on the petition of James Bloodworth, endorsed "Concurred with.'

Received also the bill for raising a fund for erecting the buildings, and for the support of the university of North Carolina, endorsed "Read the first time and passed."

Ordered, That this bill be read; which being read, was amended, passed the second time and returned.

Received likewise the report of the committee on a certificate issued by William Kirkpatrick, and on a report of a committee of the last Assembly, relative to the same certificate, endorsed "Concurred with."

Received also the following message:

Mr. Speaker and Gentlemen:

We have received your message informing that you are ready to proceed to balloting; we are also ready to ballot, and have appointed Mr. Hill and Mr. Sanders to conduct the balloting on our parts.

On motion the house resolved,

Whereas it is known to this General Assembly that Long-Hair, a chief of the Chickesaws together with his son, were killed by the Creek Indians at a time when the said Chickesaw chief and his son were on their way to the treaty held on French Broad river with the Cherokees, to which treaty the said Chickesaws were going with an amicable disposition to this State and to the United States; Therefore,

Resolved, That the sum of thirty pounds be paid into the hands of Gen. Smith and David Wilson, Esq., to be laid out in suitable light goods, to be made a present to the relations of the said Long Hair to conciliate their affections to this State, and mitigate their sorrows for the loss of their murdered friends; which sum the Treasurer shall be allowed for in the settlement of his accounts. Sent for concurrence.

The house adjourned till to-morrow morning 10 o'clock.

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Saturday, December 19, 1789.

Met according to adjournment.

Received from the House of Commons the bill to empower certain persons therein named to receive, sue for and recover all such bequests, donations, benefactions and other things as have heretofore been bequeathed, given or made by any person or persons whatsoever, for the use of the congregation or society of the Episcopal communion of New Bern; and the bill directing the sale of the salt licks and springs within the district of Mero; each endorsed "Read the third time and passed."

Ordered, That these bills be read; which being read, each was passed the third and last time in this house and ordered to be engrossed.

Received also the bill to amend and enlarge an act passed at Hillsborough in April, 1784, entitled "An act to enable Mary Dowd to sue for and recover to her own use, and the use of her children by her husband Conner Dowd, all debts due and owing to the said Conner, and all other things in action which the said Conner Dowd might lawfully sue for and recover, were he a citizen of this State and entitled to the benefits of its laws. The bill to authorize the county courts of this State to annually elect a certain number of Justices in each county to attend the business thereof. And the bill to vest a certain tract of land in James Forsyth. Respectively endorsed "Read the second time and passed."

Ordered, That these bills be read; which being read, the first was passed the second time in this house and returned, and the two latter rejected.

Received likewise the bill to enable William Beaty, administrator of the estate of James White, late of Bladen county, to sell the lands and tenements mentioned therein. The bill for opening a waggon road from White's mill in Hawkins county, to Bledsoe's lick in Sumner county. And the bill directing the sale of the county buildings in Surry, and to alter the time of holding several county courts in this State. Each endorsed "Read the second time and passed."

Ordered, That these bills be read; which being read, the first was passed the third, and the two latter the second time in this house and returned.

Mr. Graham and Mr. Montgomery, appointed on the part of this House to superintend and conduct the balloting for a Council of State, Judge of the maritime court for Port Beaufort, and Col. of artillery, delivered in the following report, viz—That having performed the

duties of their appointment, they find on casting up the scrolls, that John Hamilton, Jesse Franklin, James Gillespie, James Taylor, Charles Bruce and Wyatt Hawkins, Esquires, are elected Councillors of State—That Abner Neale, Esq., is appointed Judge of the marine court of Port Beaufort—That John B. Ashe, Esq., is made choice of as Col. of artillery by a majority of votes.

The house taking this report into consideration concurred therewith.

Received from the House of Commons the resolution of this House in favour of John Taylor, and the resolution directing a certain sum to be advanced by the Treasurer, to be applied to the use of the heirs of Long-Hair, late an Indian chief; each endorsed "Concurred with."

Mr. Harget delivered in the following report:

The committee to whom was referred the petition of George Doherty and Vincent P. Williams, executors of the last will and testament of William Williams, a Captain in the late continental line of this State, having considered the same, report—That William Williams, of the town of Hillsborough, late a Captain as aforesaid, was an invalid officer in the line of this State; that as such he did from time to time, by applying to the General Assembly, draw his half-pay and subsistence from the Treasury of this State—That his last account was settled with the General Assembly at their session in 1786—That Captain Williams died in the year 1787—That from the date of his account settled with the Assembly in 1786, to the time of his death, which took place on the 28th day of July, 1787, there is due him on account of his half-pay and subsistence, three hundred and forty-six dollars and sixty-four ninetieths, as appears by the account taken off his books and sworn to by his executors, which was rendered to your committee. This being the case, as Capt. Williams was in his lifetime provided for as an invalid officer by this State, and as the monies paid him pass to our credit with the United States, your committee think it just and proper that this balance of his account should be paid his executors for the use of his heir, and therefore recommend the following resolution:

Resolved, That the Treasurer be, and he is hereby directed to pay to the executors of Captain William Williams, late of the continental line of this State, the sum of one hundred and thirty-eight pounds thirteen shillings and four pence, it being in full of their account for the balance of half-pay and subsistence due to the said Williams,

from the date of his account as last settled with the General Assembly up to the time of the death of the said Capt. Williams, which happened in July, 1787, aforesaid.

Resolved, also, That the Comptroller take order that this State shall have credit for the same in his account with the United States. All which is submitted. F. HARGET, Ch.

The House taking this report into consideration concurred therewith.

Received from the House of Commons the following message:

Mr. Speaker and Gentlemen:

We propose that the General Assembly proceed to ballot this evening at four o'clock for the Councillor yet to be appointed, a Col. of cavalry of Hillsborough district, and an assistant Judge for the district of Morgan; and nominate for Judge, John Stokes, Esq., as Col. of cavalry, Samuel Benton, Lewis Bledsoe, and John Taylor. We further propose to ballot for a first Major of the cavalry, and nominate Wm. Nash.

The foregoing being read, Ordered, That the following message be sent to the House of Commons:

Mr. Speaker and Gentlemen:

We agree to ballot this evening at four o'clock for the Councillor of State yet to be made choice of, an additional Judge for the district of Morgan, and a Col. of cavalry for Hillsborough district, and approve of your nomination, with the addition of the name of Griffith Rutherford for Councillor. Your proposition relative to the appointment of first Major we have rejected, as there will be an officer of that rank, provided he should not be made Col. in the present balloting. We propose that an Attorney-General for the district of Mero be also balloted for at the same time, and nominate to that appointment, Andrew Jackson, Esq.

Received from the House of Commons the bill to encourage the manufacture of pot-ash. The bill for granting a longer time for the surveying of certain lands; each endorsed "Read the second time and passed." Also a bill to repeal part of an act passed at Tarborough, 1787, authorising James Iredell, Esq., to revise and publish the laws of this State, endorsed "Read the first time and passed."

Ordered, That these bills be read; which being read, the first two were passed the second, and the latter the first time in this house and returned.

Received also the bill for the relief of securities in joint obligations, endorsed "Read the third time and passed." And the bill making process in equity in certain cases more effectual, endorsed "Read the second time and passed."

Ordered, That these bills be read; which being read, the first was passed the second time in this house and returned, and the latter on motion rejected.

On motion of Mr. Bloodworth the house entered into the following resolution:

Whereas it frequently happens that for the want of proper conveyances, the executions issued against delinquent Sheriffs and others, on behalf of the State, fail and miscarry: And whereas it has happened that the Sheriffs receiving such executions have failed to make due return thereof, because the receipt of them could not be proved, in consequence thereof the revenues of the State have been diminished and injured: To prevent which evils in future,

Resolved, That the public Treasurer be and he is hereby authorised and empowered, to send at the expence of the State an express or expresses, to any county in the same, to carry and deliver such executions as aforesaid, and to transact such other business as to him shall seem proper; and for his expenditures herein he shall be allowed by the next General Assembly. Sent for concurrence.

Mr. Harget moved for leave and presented a bill to direct in what manner executions shall hereafter issue; which was read, passed the first time and sent to the House of Commons.

Received from the House of Commons the bill directing the Collectors of imposts and other duties to collect the same for the use of this State, until the Congress of the United States shall make provision for that purpose. The bill directing the mode of raising a fund in the several ports of this State for the support of sick seamen, and the manner of appropriating the same. And the bill to repeal the sixty-fifth section of an act passed at New Bern in the year 1777, entitled "An act for establishing courts of law, and for regulating the proceedings therein." Each endorsed "Read the third time and passed."

Ordered, That these bills be read; which being read, were severally passed the third and last time and ordered to be engrossed.

Received from the House of Commons the following message:

Mr. Speaker and Gentlemen:

We have not concurred with the amendment by you proposed to the

resolution of this House in favour of the Judges, but have entered into another resolution herewith sent you for concurrence, in favour of the Judges.

The resolution above alluded to being read, was concurred with and returned.

Received from the House of Commons the bill directing returns to be made of the taxable property in the middle district of Anson county for the year 1788. The bill to repeal an act, entitled "An act for raising a revenue for the support of government, and to repeal an act, entitled "An act to suppress excessive gaming," passed in the year 1784. And the bill for raising a revenue for the payment of the civil list and contingent charges of government for the year 1790. Each endorsed "Read the second time and passed."

Ordered, That these bills be read; which being read, the first two were passed the second, and the latter the third time in this House and returned.

Received also the bill the better to regulate the inspection of tobacco, and the bill for the relief of such persons as may be wounded by the Indians within the district of Mero, and for other purposes; each endorsed "Read the second time and passed." Also the bill to add part of Bladen county to Cumberland, endorsed "Read the third time and passed."

Ordered, That these bills be read; which being read, the two first were passed the second time in this House and returned, and the latter the third time and ordered to be engrossed.

Adjourned till 4 o'clock P. M.

The House met according to adjournment.

Ordered, That the following message be sent to the House of Commons:

Mr. Speaker and Gentlemen:

We are now ready to proceed to balloting, and have appointed Mr. Montgomery and Mr. Graham to superintend the same on the part of this house.

Received from the House of Commons the following Message:

Mr. Speaker and Gentlemen:

We agree to ballot for an Attorney-General for the district of Mero as by you proposed. Mr. Sawyer and Mr. Hill will conduct the balloting on the part of this House.

Received also the report of the committee on the Memorial of

Joseph Leech, Esq.; endorsed "Concurred with;" and a resolution directing the Agents for settling the accounts of this State with the United States, relative to an account exhibited to this Assembly by Richard Blackledge; which was read, concurred with and returned.

Received likewise the bill for cutting a canal from Juniper Bay to Mattamuskeet Lake, in Hyde county. The bill for altering the time of electing the members of the General Assembly in this State. And the bill to release Joseph Stacey, of Montgomery county, from the forfeiture of a recognizance. Each endorsed "Read the first time and passed."

Ordered, That these bills be read; which being read, the two first were passed the second time in this House and returned, and the latter on motion rejected.

Received likewise the bill to erect a public provision store in the county of Hawkins, for the accommodation of the Cumberland guard. The bill to establish an inspection of tobacco in Clarkesville, in the county of Tennessee. And the bill for erecting a town on the lands of Fergus Sloan, and to amend an act for the division of Rowan county. Each endorsed "Read the third time and passed."

Ordered, That these bills be read; which being read, each was passed the third and last time in this House and ordered to be engrossed.

Received likewise the bill to incorporate a society of persons by the name of Centre Benevolent Society, and the bill to vest in Jeremiah and Robert Field an indefeasible right to such property as was given them by their father in the year 1776, each endorsed "Read the third time and passed." Also the bill to alter the names of Nancy, John and Keziah Lytle, children of Sarah Nichols, formerly Sarah Lytle, of the town of Hillsborough; endorsed "Read the second time and passed."

Ordered, That these bills be read; which being read, the two first were passed the third time and ordered to be engrossed, and the latter the second time and returned.

Received likewise the report of the committee on the petition of George Doherty and Vincent P. Williamson, and the resolution of this house empowering the public Treasurer to send expresses, &c., each endorsed "Concurred with."

Received likewise a report of the committee on the warrants drawn in favor of Alexander Outlaw, Esq., a report of the committee on the

petition of Richard Blackledge, relative to tobacco, and a report on the petition of E. Lallerstead and Peter Mallett, severally endorsed "Concurred with;" which being read, the two first were concurred with by this House and returned, and the latter on motion rejected.

Ordered, That the following Message be sent to the House of Commons:

Mr. Speaker and Gentlemen:

We do not concur with the proposition of your house relative to making up the estimates to include Tuesday, but propose that they include Wednesday next.

Received from the House of Commons the bill to repeal part of the 20th clause of an act passed at Hillsborough, 1784, entitled "An act to prevent the exportation of unmerchantable commodities," endorsed "Read the second time and passed."

Ordered, That this bill be read; which being read, was passed the second time in this House and returned.

The house adjourned until Monday morning 9 o'clock.

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MONDAY, December 21, 1789.

The House met according to adjournment.

Mr. Herritage delivered in the following report:

Your committee to whom was referred the memorial of John Markland, Commissary, report—That it appears to your committee that the said John Markland hath acted one hundred and sixty days in the office of Commissary and Contractor for the Cumberland battalion, under the command of Major Thomas Evans—That it doth not appear to your committee that there hath been any deficiency of duty in the said Markland, and that from the several vouchers produced it appears, that the sum of one hundred and nine pounds nineteen Shillings and eight pence is left in the said Markland's hands. His account will then stand thus: Sum of money belonging to the State in his hands 109l. 19s. 3d. One hundred and sixty days pay at 12s. is 96l. Balance remaining in his hands, 13l. 19s. 8d. Which is submitted. JOHN HERRITAGE, Ch.

The House taking this report into consideration concurred therewith.

Received from the House of Commons the bill to amend an act

passed at New Bern in Nov., 1784, entitled "An act to explain, amend and supply the deficiencies of an act passed at Hillsborough, entitled An act to regulate the descent of real estates, to do away entails, to make provision for widows, and to prevent frauds in the execution of last wills and testaments, and to direct how deeds of gifts and bills of sales of slaves shall be executed, authenticated and perpetuated;" and the bill to alter the present mode of swearing petit juries in the courts of law in this State; each endorsed "Read the second time and passed." Also the bill to repeal part of an Act, entitled "An act for appointing an agent, and holding a treaty with the Cherokee Indians, and for other purposes, endorsed "Read the first time and passed."

Ordered, That these bills be read; which being read, were passed the second time in this House and returned.

Mr. Graham and Mr. Montgomery, appointed on the part of this House to superintend and conduct the balloting for one Councillor of State, additional Judge for Morgan district, and Attorney-General for Mero district, delivered in the following report, viz.—That having performed the business of their appointment, they find that Griffith Rutherford is elected a Councillor of State—that John Stokes, Esq., is elected additional Judge for Morgan district, and that Andrew Jackson, Esq., is appointed Attorney-General for the district of Mero.

The house taking this report into consideration concurred therewith.

Mr. Blount moved for leave and presented a bill for allowing a longer time for surveying lands entered in the office kept by John Armstrong, Military warrants and pre-emption rights; which was read, passed the first time and sent to the House of Commons.

Received from the House of Commons the bill to amend and enlarge an act passed at Tarborough, entitled "An act authorising and empowering the county courts of pleas and quarter-sessions to divide and appropriate the real estate of intestates," endorsed "Read the second time and passed;" which being read, was also passed the second time in this house and returned.

Received from the House of Commons the following message:

Mr. Speaker and Gentlemen:

We do not agree that Wednesday shall be included in the estimates, being of opinion that the General Assembly will rise to-morrow.

Received also from the House of Commons the bill for the relief of such persons as may be wounded by the Indians within the district of Mero and for other purposes. The bill directing returns to be made of the taxable property in the middle district of Anson county for the year 1788. The bill the better to regulate the inspection of tobacco. The bill to alter the time of electing members of the General Assembly in this State. And the bill to encourage the manufacture of pot-ash. Each endorsed "Read the third time and passed."

Ordered, That these bills be read; which being read, were severally passed the third and last time and ordered to be engrossed.

Received also a resolution allowing the public Treasurer a sum therein mentioned for his extra services; which was read, concurred with and returned.

Received likewise the bill for raising a fund for erecting the buildings, and for the support of the university of North Carolina, endorsed "Read the second time and passed;" and the bill directing the manner of issuing process in sundry cases arising in the courts of equity; to direct the manner of proceeding on assigned bills, bonds or notes under seal; to direct how joint obligations shall survive; and to repeal an act for calling forth the militia to assist in executing civil process, endorsed "Read the third time and passed."

Ordered, That these bills be read; which being read, the first was passed the third time in this house and returned, and the latter the last time and ordered to be engrossed.

Received likewise the bill to repeal part of an act passed at Tarborough in 1787, authorising James Iredell, Esq., to revise and publish the laws of this State, endorsed "Read the second time and passed;" and the bill allowing a longer time for surveying lands entered in the office kept by John Armstrong, military warrants and pre-emption rights, endorsed "Read the first time and passed."

Ordered, That these bills be read; which being read, each was passed the second time and returned.

Received likewise the report of the committee on the petition of Nicholas Eveleigh, endorsed "Concurred with." And the bill to repeal part of an act, entitled "An act for appointing an Agent and holding a treaty with the Cherokee Indians, and for other purposes, endorsed "Read the second time and passed."

Ordered, That this bill be read; which being read, was passed the third time in this House and returned.

Received likewise the bill to alter the present mode of swearing petit jurors in the courts of law in this State; and a supplemental bill to the act, entitled "An act concerning old titles to lands, for limitation of actions and for avoiding suits at law; each endorsed "Read the second time and passed." Also the bill to amend and enlarge an act passed at Tarborough in the year 1787, entitled "An act authorising and empowering the county courts of pleas and quarter-sessions to divide and appropriate the real estate of intestates, endorsed "Read the third time and passed."

Ordered, That these bills be read, which being read, the two first were on motion rejected, and the latter passed the third and last time and ordered to be engrossed.

Received also the following message:

Mr. Speaker and Gentlemen:

We cannot concur with the report of the committee on the memorial of John Markland as amended by the Senate, and propose as a further amendment to the report, that Mr. Markland's pay be estimated at the rate of eight shillings per day, instead of twelve shillings, and the latter part of the report made conformable. This amendment made, the committee will then concur.

Ordered, That the following message be sent to the House of Commons:

Mr. Speaker and Gentlemen:

We consent to amend the report of the committee on the petition of J. Markland as by you proposed.

Received from the House of Commons a resolution allowing Francis Child a sum therein mentioned for extra services, and a resolution directing the public printers with respect to the laws intended for the district of Washington; which being read, the first was rejected, and the latter concurred with and returned.

The bill to amend and provide for the deficiencies of the revenue laws of this State, was read the second time and rejected.

Received from the House of Commons a resolution relative to the estate of James Kerr, supposed to be confiscated; which being read, was rejected.

Received likewise the bill for cutting a canal from Juniper bay to Mattamuskeet lake, in Hyde county. The bill to amend an act passed at New Bern, Nov., 1784, entitled "An act to explain, amend and supply the deficiencies of an act, passed at Hillsborough, entitled

An act to regulate the descent of real estates, to do away entails, to make provision for widows, and to prevent frauds in the execution of last wills and testaments; and for directing how deeds of gifts and bills of sales of slaves shall be executed, authenticated and perpetuated." Also the bill to establish the title of certain lands therein mentioned. Severally endorsed "Read the third time and passed."

Ordered, That these bills be read; which being read, each was also passed the third and last time and ordered to be engrossed.

Received likewise the bill to repeal part of an act passed at Tarborough, 1787, authorising James Iredell, Esq., to revise and publish the laws of this State, endorsed "Read the second time and passed."

Ordered, That this bill be read; which being read, was on motion rejected.

Received likewise a resolution of the House of Commons voting thanks to Benjamin Smith, Esq., for a donation by him made to the university of North-Carolina; which was read, concurred with and returned. Also a resolution directing that a compass, in the possession of John Williams, of Caswell county, the property of the public, be deposited in the hands of Thomas Person, Esq., which being read, was on motion rejected, and the following substituted in lieu thereof:

Resolved, That a compass, the property of the public, now in the possession of John Williams, Esq., of Caswell county, be deposited in the office of the Treasurer, for the use of the University of North Carolina.—Sent for concurrence.

Received from the House of Commons the bill to repeal part of the 20th clause of an act passed at Hillsborough, 1784, entitled "An act to prevent the exportation of unmerchantable commodities." The bill to alter the names of Nancy, John and Keziah Lytle, children of Sarah Nichols, formerly Sarah Lytle of the town of Hillsborough. And the bill to amend and enlarge an act passed at Hillsborough in April, 1784, entitled "An act to enable Mary Dowd to sue for the recovery," &c. Each endorsed "Read the third time and passed."

Ordered, That these bills be read; which being read, were passed the third time and ordered to be engrossed.

Received also the resolution relative to a compass in the hands of John Williams, Esq., endorsed "Concurred with;" and a resolution directing the Treasurer relative to settling the accounts of Lewis Baird; which was read, concurred with and returned.

The house adjourned till to-morrow morning 9 o'clock.

TUESDAY, December 22, 1789.

Met according to adjournment.

Received from the House of Commons the report of the committee on the memorial of Benjamin Jones, endorsed "Concurred with;" which being read, was rejected.

Received also a resolution directing James Iredell, Esq., relative to re-printing the laws, and a resolution, allowing him a sum therein mentioned, in order to carry on his business with greater dispatch; which being read, each was concurred with and returned.

On motion, Resolved, That John Herritage, Esq., be allowed until the next Assembly to settle his accounts as Commissioner of confiscation for the county of Dobbs, and that he then produce the records of Dobbs court, relative to his appointment and proceedings in this particular. Sent for concurrence.

Received from the House of Commons a report of the committee on the petition of Patrick Travers, endorsed "Concurred with;" which being read, was rejected.

Received also a report of the committee on the petition of James Kerr, a report on the memorial of Spruce M'Kay, a report on the petition of Elisha Hadden, a report on the memorial of James Thackston, a report on the memorial of Doctor Alexander, a report on the petition of William Armstrong, a report on the petition of Henry Giles, a report on the petition of Ptolemy Powell, a report on the petition of Francis Owen, a report on the petition of William Griffin, and a report on the petition of Thomas Horsey; severally endorsed "Concurred with;" which being read, were respectively concurred with by this house and returned.

Received also a resolution in favor of the widow of the late Gen. Davidson, a resolution in favor of David Vance, a report of the committee for burning the ragged money, a resolution relative to confiscated property in the district of Salisbury, New Bern, &c., and a resolution in favour of John Wilson; severally endorsed "Concurred with"; which being read, were respectively concurred with and returned.

Received from the House of Commons the following message:

Mr. Speaker and Gentlemen:

We cannot concur with your proposition relative to the claims of Mr. Arnold and Mrs. Dupree.

Ordered, That the following message be sent to the House of Commons:

Mr. Speaker and Gentlemen:

We agree to the reports from the committee of claims as by you first concurred with.

Received from the House of Commons the report of the committee on the memorial of Winston Caswell, the report on the memorial of M. Hunt, the report on the petition of John Ellis, and the report on the petition of Thomas Evans; severally endorsed "Concurred with."

Received also a resolution directing the sale of the public tobacco injured; which was read, concurred with and returned. Also the resolution of this house relative to the accounts of John Herritage, Esq., endorsed "Concurred with."

On motion, Resolved, That a further time of three months be allowed to the inhabitants of the counties of Washington, Sullivan, Greene and Hawkins, to pay their taxes for the year 1789, to the end that they may have the benefit of the certificates to be issued for the services performed against the Indians under the command of Brigadier-General Martin, and that the Sheriffs, Collectors, Treasurer and Comptroller conduct themselves accordingly. Sent for concurrence.

Received from the House of Commons a resolution directing James Porterfield to settle his accounts as tobacco Commissioner, by a certain time; which was read, concurred with and returned.

Received also a report of the committee on the Martinique debt, endorsed "Concurred with;" which being read, was also concurred with by this house and returned. Also the resolution of this house relative to the time of collecting taxes in the counties of Washington, Sullivan and Greene, &c., endorsed "Concurred with."

Received also a resolution relative to the property of Edward Bridgen, heretofore sold as confiscated; a resolution in favour of Thomas Masters, and a resolution relative to the paper moulds used in emitting the last money; each of which being read, were concurred with and returned.

Received from the House of Commons the report of the committee on the petition of William Gilbert, the report on the petition of Joseph Greene, the report on the memorial of John Brevard, the report on the petition of Thomas Jones, the report on the petition of

Betty Hughs, the report on the petition of Neil Ray, the report on the memorial of Robert Hays, the report on the memorial of Lewis Baird, and the report on the petition of John M'Niel; each endorsed "Concurred with."

The sub-committee No. 2, to whom the papers relating to the purchases and sales of the public tobacco were referred, report—That they have examined the accounts of Etheldred Phillips, Commissioner for purchasing tobacco at Tarborough, and find that he has drawn from the treasury the sum of ten thousand one hundred and seventy-two pounds seven shillings and eleven pence, as appears by the Comptroller's statement No. 1. And that he has purchased to the amount of four hundred thousand pounds weight of tobacco, for which he paid the sum of nine thousand two hundred and seventeen pounds ten shillings and two pence. That he has charged for storage, freight, cooperage, nails, &c., eight hundred and sixty-seven pounds. For his commissions, trouble and expences in delivering and re-inspecting the tobacco, two hundred and sixty-four pounds two and five pence. Amounting in the whole to ten thousand three hundred and forty-eight pounds nineteen shillings and four pence half-penny; which deducted from the sum drawn, leaves a balance due the said Etheldred Phillips of one hundred and seventy-six pounds eleven shillings and five pence half-penny.

That on examining the accounts of Egbert Haywood, Commissioner at Halifax, they find that he has drawn the sum of eight thousand two hundred pounds fourteen shillings and ten pence, as appears by the Comptroller's statement No. 2. That he has purchased to the amount of two hundred and ninety-nine thousand and sixty-seven pounds weight of tobacco; for which he paid the sum of six thousand eight hundred and forty-seven pounds five shillings and eight pence. That he has charged for freight, storage, cooperage, &c., six hundred and eight pounds fifteen shillings and four pence, and for his commissions one hundred and eight-eight pounds fourteen shillings, making in the whole the sum of seven thousand seven hundred and thirty-six pounds fifteen shillings; which deducted from the money drawn leaves a balance due from said Haywood of four hundred and sixty-three pounds nineteen shillings and eleven pence, for which he is accountable.

That they have examined the accounts of James Porterfield, Commissioner at Fayetteville, and find that he has drawn from the treas-

ury the sum of sixteen thousand two hundred and seventy-five pounds two shillings and six pence, as appears by the Comptroller's certificate No. 3; and that from a memorandum handed to the Committee by Mr. Porterfield, it appears that he has purchased five hundred and twenty-six thousand four hundred and seventy pounds weight of tobacco, for which he paid the sum of thirteen thousand two hundred and forty-four pounds thirteen shillings and one penny, hence a balance of three thousand and thirty pounds nine shillings and five pence appears to be owing by Mr. Porterfield, and for which he is accountable—here it is to be observed, that Mr. Porterfield hath neither delivered all the tobacco by him purchased, or exhibited any charges for freight, storage, cooperage, &c., which charges, at the settlement of his account with the Comptroller, will be placed to his credit and deducted out of the aforesaid balance of three thousand and thirty pounds nine shillings and five pence.

The committee further report on the application of tobacco, that it appears from his Excellency Governor Johnson's message, and the papers accompanying the same, that the Governor, with the advice of the Council, hath sold and delivered of the public tobacco, to the amount of one million one thousand four hundred and sixty-one pounds weight on the following terms, viz. To William Littlejohn, merchant of Edenton, one hundred and thirteen thousand, three hundred and thirty-three pounds, at three dollars per hundred weight, delivered at Wilmington in good shipping order, though not subject to re-inspection or re-weighing, for which Mr. Littlejohn hath paid the sum of three thousand four hundred dollars into the treasury of the United States. To Messrs. Royal Flint & Co., merchants, of New York, all the remaining part of the tobacco, at three dollars per hundred weight; eight hundred and eighty-eight thousand, one hundred and twenty-eight pounds of which hath been re-inspected and re-weighed, agreeable to contract, and delivered to Mr. Daniel Carthy, agent for said company of merchants, by the Commissioners aforesaid, in the following manner, viz. by James Porterfield, at Wilmington, two hundred and seventy-one thousand, seven hundred and sixty-one pounds.—By E. Phillips at Washington, three hundred and thirty-two thousand seven hundred and eighty-three pounds. And by E. Haywood at Dayley's, two hundred and eighty-three thousand, five hundred and eighty-four pounds; making in the whole the above quantity of eight hundred and eighty-eight thousand, one

hundred and twenty-eight pounds; for which Messrs. Royal Flint, & Co. have accepted two sets of bills, payable to the Secretary of the United States; from which sales it is to be observed, this State is entitled to a credit of thirty thousand and forty-three dollars, and seventy-six ninetieths of a dollar.

The committee further observe, that on the tobacco's being re-inspected at the several ware-houses, a considerable quantity was refused, as not of first or second qualities, viz. at Dayley's on Roanoke, six hogsheads—at Washington, forty-five do.—and at Wilmington, twenty-nine do. making in the whole, eighty hogsheads. The committee beg leave to suggest, that it is advisable the house should pass a resolve empowering some person to dispose of the tobacco so refused, for the highest price it will command, as it is now lying at a very considerable expence to the State. All which is submitted.

J. SKINNER, Ch.

The house taking this report into consideration concurred therewith.

On motion of Mr. Galloway, the house resolved as follows:

Whereas it hath been made appear to this Assembly that several persons have lost tobacco notes for tobacco inspected at the Fayetteville ware-houses, and the persons owning the same are greatly injured by reason of their tobacco being withheld by the Inspectors until the notes are produced: Therefore,

Resolved, That the said Inspectors are authorised to deliver the tobacco for which the notes have been so lost, on the persons demanding the same, and giving sufficient bond and security to indemnify the said Inspectors; which bond, when so taken as aforesaid, shall be by said Inspectors assigned to the party injured in discharge of such Inspectors.

On motion, Resolved, That it is the sense of the General Assembly, that John Sevier is the Brigadier-General of the district of Washington, and ought to be obeyed as such according to the date of his commission issued in the month of Nov., 1784; and that the Governor issue his proclamation, requiring all the good people of that district to pay due regard thereto, and govern themselves accordingly.

The yeas and nays being required on this resolution by Mr. M'Dowall, are as follows, viz.:

For the resolution—Messieurs M'Allister, Johnston, Eborne, Ashe,

Bryan, Amis, Hill, Clay, Reddick, Skinner, Blount, Berger, Griffin, Kendal, Bloodworth, Dixon, Mayo, Harget, Webb, Gowdy, Frazier, Carter, Arnold, Singleton, Gillespie, Nesbit, Herritage, Lanier.—28.

Against the resolution—Messieurs Easton, Lucas, Galloway, Clinton, Lenoir, Graham, M'Dowall.—7.

So the resolution was concurred with and sent to the House of Commons.

Received from the House of Commons the report of the sub-committee of finance No. 2, relative to public tobacco, the resolution of this house instructing the Inspectors of tobacco at Fayetteville warehouses relative to notes lost or mislaid, and the resolution declaring John Sevier, Esq., to be Brigadier-General of the district of Washington; each endorsed "Concurred with."

Received also a resolution allowing Mess. Sibley and Howard the sum of eighty pounds, for their services in printing the following copies of acts, &c., viz.—80 copies of the act for procuring testimony in support of military claims, 200 copies of the act directing the manner of electing Representatives, 300 certificates of allowances, 200 copies of the lists of balances laid before this Assembly by the Treasurer and Comptroller, 200 copies of the titles of bills passed this Assembly; which was concurred with and returned.

Mr. Graham in behalf of himself and others, moved for leave and entered the following protest against the bill for providing means for the payment of the domestic debt, viz.:

DISSENTIENT: 1st. Because this State have or will obtain a credit for the full sum with the United States, for most of the vouchers on which the said certificates were issued to our own citizens, for which by the aforesaid act they are only to receive four shillings in the pound.

2d. Because it is a violation of the public faith, that would prevent us from having the confidence of our citizens, if ever it should again be required for the public welfare, therefore must be as impolitic as it is unjust.

3dly, Because it is expressly contrary to the tenth section of the first article of the Constitution of the United States, viz.: That no State shall pass laws impairing the obligations of contracts—and our certificate debt is at least a public contract; It is also contrary to the example held out by the sixth article of the said constitution, viz.: That all debts contracted, and engagements entered into prev-

ious to the adoption of said constitution, should be equally binding as they were under the confederation, and that so unjust a measure is unprecedented by any of the States.

4th. Because the certificates given to the officers and soldiers of the late North Carolina line are included in the act, and make the greater part of the certificates in circulation, and it may be remembered that it was optional with them at the end of the war, whether they settled with this State or with Congress, who would have paid them the full sum.

5th. Because the widows and orphans of many active citizens who furnished supplies, perhaps the greatest part of their property, and who have died in their country's service, are now deprived of four-fifths of their just right.

6th. Because it gives the advantage to the disaffected and inactive part of our citizens in the late contest, who neither furnished supplies nor performed services to procure certificates, therefore ought to pay their quota of the domestic debt, as they enjoy equal advantages, and vice versa takes from our active citizens what they have furnished and served over their proportion.

7th. Because the greater part of the certificates are in the possession of the original holders, and not in the hands of speculators, which is offered for the specious pretext for adopting this measure; or if they were, let it be remembered that the speculators, if they are the object, have purchased them for one shilling and six pence, and two shillings in the pound, whereby they are gainers one hundred per cent. but it is a fact well known, that the speculators have disposed of and are realizing their certificates in land, and that the office was shut before a majority of the citizens could embrace the same opportunity, who of consequence retained them, confiding in the honesty and justice of the State.

J. GRAHAM,
JOHN NESBIT,
CHARLES M'DOWALL,
GEO. H. BERGER,
RICHARD CLINTON,
HENRY HILL,
J. B. ASHE,
JAMES GALLOWAY.

Mr. Charles M'Dowall moved for leave, and entered the following

protest and reason of dissent against the resolution declaring John Sevier, Esq., to be the Brigadier-General of Washington district, viz:

Because General Joseph Martin appearing to be removed from office without any official accusation, contrary to the constitution, and at a late hour of the session, induces me hereby to enter my disapprobation and dissent to such a procedure.

CHARLES M'DOWALL.

Received from the House of Commons a resolution in favor of John Craven; which was read, concurred with and returned.

Received also a resolution directing the Comptroller relative to the adjustment of a claim to be handed him by Thomas Person, Esq., which was read, concurred with and returned.

The business of the session being now finished, and the several bills passed into laws at the present Assembly, being called for and ratified; it was unanimously resolved that the Hon. Charles Johnston, Esq., be presented with the thanks of this House, for his unwearied attention and able services as Speaker thereof.

Resolved, That his Honour the Speaker sign the journal of this house as the proceeding thereof, and that the Clerk attest the same.

On motion, the house now adjourned sine die.

CHARLES JOHNSON, *Speaker of the Senate.*

S. Haywood, *Clerk.*

# SENATE JOURNAL---1790.

North Carolina,
November 1st, 1790.

At a General Assembly begun and held at Fayetteville, on the first day of November, in the year of our Lord one thousand seven hundred and ninety, and in the fifteenth year of the independence of the United States of America: Being the first session of this Assembly.

The returning officers for the several counties certified that the following persons were duly elected to represent the same in the Senate, to-wit:

For Anson county—Lewis Lanier.
Beaufort—William Groves.
Bertie—
Brunswick—
Bladen—Thomas Owen.
Burke—Joseph M'Dowall.
Craven—John Bryan.
Chowan—
Cumberland—Alexander M'Allister.
Carteret—Malachi Bell.
Camden—Peter Dauge.
Caswell—Robert Payne.
Currituck—
Chatham—
Duplin—James Kenan.
Dobbs—Simon Bright.
Edgecombe—Etheldred Phillips.
Franklin—Henry Hill.
Granville—Samuel Clay.
Guilford—Daniel Gillespie.
Gates—Joseph Riddick.
Halifax—Peter Qualls.
Hertford—Thomas Wynn.
Hyde—
Johnston—
Iredell—John Nesbit.
Jones—Frederick Hargett.

For Lincoln—Joseph Dixon.
Mecklenburg—Joseph Graham.
Martin—
Montgomery—Thomas Chiles.
Moore—Thomas Tyson.
Northampton—John M. Benford.
Nash—Hardy Griffin.
New Hanover—
Onslow—Robert W. Snead.
Orange—William Courtney.
Pitt—
Perquimans—Joshua Skinner.
Pasquotank—Joseph Keaton.
Rowan—George H. Berger.
Rutherford—
Rockingham—William Bethell.
Randolph—John Arnold.
Robeson—Elias Barnes.
Richmond—Robert Webb.
Surry—
Sampson—Richard Clinton.
Stokes—
Tyrrel—
Wake—Joel Lane.
Wilkes—William Lenoir.
Warren—John Macon.
Wayne—

Pursuant to which the following members appeared, presented their certificates, were qualified agreeably to law, and took their seats, to-wit:

| | |
|---|---|
| Lewis Lanier, | Joseph Dixon, |
| William Groves, | Joseph Graham, |
| Thomas Owen, | Thomas Chiles, |
| Joseph McDowall, | John M. Benford, |
| John Bryan, | Thomas Tyson, |
| Alex M'Allister, | Hardy Griffin, |
| Malachi Bell, | Robert Snead, |
| Peter Dauge, | Wm. Courtney, |
| Robert Payne, | Joshua Skinner, |

James Kenan,
Simon Bright,
Etheldred Phillips,
Henry Hill,
Samuel Clay,
Daniel Gillespie,
Joseph Riddick,
Peter Qualls,
John Nesbit,
Thomas Wynn,
Frederick Hargett,
Joseph Keaton,
George H. Berger,
William Bethell,
John Arnold,
Elias Barnes,
Robert Webb,
Richard Clinton,
Joel Lane,
William Lenoir,
John Macon.

Mr. Hargett proposed for Speaker William Lenoir, Esq., who was unanimously chosen and placed in the chair accordingly.

On motion of Mr. Macon, S. Haywood was appointed Clerk, and Montfort Stokes Assistant.

At the same time William Murphy and Nicholas Murphy were appointed Door Keepers.

On motion of Mr. Macon, Ordered, That the following message be sent to the House of Commons:

Mr. Speaker and Gentlemen:

This house is now formed and ready to proceed on the business of the public.

Received from the House of Commons the following message:

Mr. Speaker and Gentlemen:

We have received your message acquainting us that your house is formed; in answer to which we acquaint you that we are also formed, and ready to proceed on the public business.

The house adjourned until to-morrow morning, 10 o'clock.

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TUESDAY, November 2, 1790.

Met according to adjournment.

On motion of Mr. Macon, seconded by Mr. Hill, Ordered, That the following message be presented to his Excellency the Governor, first having the approbation of the House of Commons:

To His Excellency Alexander Martin, Esq., Governor, Captain-General, &c., &c.:

SIR:

The General Assembly being formed, and in order for public busi-

ness, acquaint your Excellency that they are now ready to receive such dispatches and communications, as you may think require their deliberation.

Ordered, That the following message be sent to the House of Commons:

Mr. Speaker and Gentlemen:

The address which accompanies this we propose shall be presented to his Excellency the Governor, should it meet your approbation; Mr. Macon and Mr. Hargett will on the part of this House attend and present him with the same.

On motion of Mr. Hargett, seconded by Mr. Macon, Resolved, That Mr. Macon, Mr. Graham, Mr. Hargett, Mr. Benford, Mr. Dixon, Mr. Qualls and Mr. Clay, be a committee of privileges and elections.

On motion of Mr. Macon, seconded by Mr. Hargett,

Ordered, That the following message be sent to the House of Commons:

Mr. Speaker and Gentlemen:

Mr. M'Dowall, Mr. Graham, Mr. Courtney, Mr. Qualls, Mr. Skinner, Mr. Hargett, Mr. Kenan and Mr. Lane, will on the part of this house act jointly with such gentlemen of your body as may be appointed a committee of propositions and grievances. We have also appointed as a committee of claims, Mr. Dixon, Mr. Nesbit, Mr. Lane, Mr. Benford, Mr. Riddick, Mr. Bryan, Mr. Snead and Mr. Barnes.

On motion of Mr. Hill, seconded by Mr. Macon, Resolved, That Mr. Clinton, Mr. Phillips, Mr. Dauge, Mr. Payne and Mr. Webb, be a committee to hear and report on such excuses as may be offered by members of this house who failed to give their attendance agreeable to law.

Mr. Riddick presented the petition of William Lewis and Samuel Harrell, of Gates county; which was read, referred to the committee of propositions and grievances, and sent to the House of Commons.

Mr. Skinner presented the petition of Ezekiel Arrington, of Perquimans county; which was read, referred to the committee of propositions and grievances, and sent to the House of Commons.

Mr. Richard Singleton, the member for the county of Rutherford, and Mr. Gideon Edwards, the member for the county of Surry, appeared, presented the certificate of their elections, were qualified agreeably to law and took their seats.

On motion of Mr. Hargett, seconded by Mr. Clinton,

Ordered, That the following message be sent to the House of Commons:

Mr. Speaker and Gentlemen:

We propose that the two houses ballot at 4 o'clock this evening for three engrossing and committee Clerks, and nominate Mr. Curtis Ivey, Mr. Pleasant Henderson, Mr. John Dixon and Mr. Richard Frear.

On motion of Mr. Graham, seconded by Mr. Hill, Resolved, That a committee of finance be appointed, to consist of members from each house, to enquire into and report the net produce of our revenue, the annual expenditure of the treasury for the years 1789 and 1790, with the application of the monies levied and collected in said years; that they be authorised to call on the Treasurer, Comptroller, and all officers concerned in receiving, appropriating and accounting for the public monies, or for any papers they may deem necessary to such investigation, and that they extend their enquiries as to the amount of the public securities in circulation, for which this State was liable at the time they were assumed by the general government; likewise the arrears due to the State from citizens thereof in said securities, and the amount of such securities heretofore collected by the State; also make an estimate of the expences and contingent charges for the ensuing year; and that as early as possible they form a full state of the debts, funds and revenues of the State, and of what was heretofore called State securities, and report the same to the General Assembly, in order that they may take such order thereon as may be thought best; and that the said report be printed and bound up with the laws enacted this session.

Ordered, That the following message be sent to the House of Commons:

Mr. Speaker and Gentlemen:

We herewith send for your concurrence a resolution relative to finance; should it meet your concurrence, Mr. Hargett, Mr. Wynn, Mr. Graham, Mr. M'Dowall, Mr. Macon, Mr. Owen and Mr. Dixon, will on the part of the Senate act with such gentlemen as you may appoint to report on the several subjects therein contained.

Received from the House of Commons the following messages:

Mr. Speaker and Gentlemen:

This house have received and do approve of the message proposed

by you to be presented to his Excellency the Governor; we have nominated on our parts Mr. Person and Mr. Mebane to attend him with the same.

Mr. Speaker and Gentlemen:

We agree to ballot as by you proposed for three engrossing and committee Clerks.

The House adjourned till 4 o'clock P. M.

Met according to adjournment.

On motion of Mr. Kenan, Ordered, That a writ of election issue for the election of a Senator in the county of Brunswick, to supply the place of Jacob Leonard, Esq., who is dead, and that the said election be made on the 17th and 18th days of the present month.

Mr. Burwell Mooring, the member for the county of Wayne, appeared, presented the certificate of his election, was qualified agreeably to law and took his seat.

Mr. Skinner moved for leave and presented a bill to carry into effect a resolution of Congress, passed the 29th September, 1789; which was read, passed the first time and sent to the House of Commons.

On motion of Mr. Hargett, Ordered, That the following message be sent to the House of Commons:

Mr. Speaker and Gentlemen:

We are now ready to proceed on the balloting for committee and engrossing Clerks, and propose in order to expedite this business, that the three who shall have the greatest number of votes be returned elected. Mr. Macon and Mr. Wynn will superintend the balloting on the part of this house.

Received from the House of Commons the following message:

Mr. Speaker and Gentlemen:

We have received the message of your House informing that you are ready to proceed on the balloting for engrossing Clerks, and proposing that the three having the highest number of votes be declared duly elected; to which we agree, and have appointed Mr. Macon and Mr. John Mebane to conduct the balloting.

The House adjourned till to-morrow morning, 9 o'clock.

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WEDNESDAY, November 3, 1790.

Met according to adjournment.

Mr. Macon and Mr. Wynn, appointed on the part of this house to

superintend and conduct the balloting for engrossing and committee Clerks, delivered in the following report, viz.—That having performed the duties of their appointment, they find on casting up the scrolls, that Mr. Pleasant Henderson, Mr. Curtis Ivey and Mr. Richard Frear, are elected engrossing and committee Clerks by a majority of votes.

The house taking this report into consideration, Resolved, That the following rules of decorum be observed for the government of the Senate during the present session, viz.:

1st. When the Speaker takes the chair each member shall take his seat, and on the appearance of a quorum the journal of the preceding day shall be read.

2d. No member shall come into the House, or remove from one place to another, with his hat on, except those of the Quaker profession.

3d. No person shall pass between the Speaker and the member speaking.

4th. No member shall be allowed to speak but in his place.

5th. When a member intends to speak, he shall rise from his seat and respectfully address himself to the Speaker, but shall not proceed until permitted by the Speaker; which permission shall be signified by his naming the member.

6th. That no member shall speak more than twice without leave, to one question upon any debate, except in a committee of the whole house.

7th. No person shall stand up, disturb or interrupt another when speaking.

8th. If more than one member rise to speak at the same time, the Speaker shall determine who shall speak first.

9th. No personal reflections to be permitted, and any member reflecting upon another shall be immediately called to order.

10th. No person shall be called upon for words of heat but on the day on which they were spoken, nor shall heats or animosities be permitted.

11th. When any question shall be before the house that is not perfectly understood, the Speaker may explain, and shall be heard at all times without interruption.

12th. Whatever is spoken in the house may be subject to the censure of the house.

13th. Whenever any question is in debate before the house, it

shall be determined or postponed before any new motion shall be introduced, unless to amend it, to adjourn, or for the previous question.

14th. The order of the day shall not be postponed to take up any other business, unless by the unanimous consent of the house or by calling the previous question.

15th. When the previous question is called for, it shall be put in this form, viz.: "Shall the main question be now put?" and upon this question, those for the main question shall keep their seats.

16th. A motion for adjournment to take place of all others.

17th. In all questions on amendments proposed to bills, resolves or reports, the members opposed to the amendments, shall be entitled to keep their seats.

18th. No question shall be put on motion unless seconded.

19th. Every member making a motion which is not of course, shall reduce the same to writing if required.

20th. If there shall be any equality of votes upon any question, the Speaker shall decide it, but shall in no other stage of the question give his vote.

21st. No member shall depart the service of the house without leave obtained, nor having leave shall stay longer than the time limited, under the penalty of forfeiting his pay during the time, which he is absent, and of being liable to be sent for, and to the censure of the house.

22d. When the house adjourns, no member shall walk out before the Speaker.

Mr. Graham presented the petition of Adam Lawrence, late a surgeon in the continental line of this State; which being read, Ordered, That the following message be sent to the House of Commons:

Mr. Speaker and Gentlemen:

The petition which accompanies this we propose shall be submitted to the consideration of a joint committee, who shall report some plan to remedy the complaint of the petitioner, as well as all others holding like demands on the State. We also propose that the committee be instructed to report some plan for the relief of the citizens of this State who hold military claims issued in 1786, at Warrenton, which were not fraudulently obtained. Should you agree with us in the appointment of a committee for these purposes, Mr. Hargett, Mr. Macon and Mr. Graham, will on the part of this House act with such gentlemen as you may nominate.

Received from the House of Commons the following Message:

Mr. Speaker and Gentlemen:

We have received your resolution for appointing a committee of finance, and directing their enquiries; we approve of the proposition to appoint such a committee, but think that the objects ought to be enlarged, and accordingly have drawn a resolution which we are of opinion will more effectually answer the purposes intended, which we herewith send for your concurrence. The members named for this committee on our parts Mr. M'Laine, Mr. Lock, Mr. Person, Mr. Alston, Mr. Perry, Mr. Hardy Bryan, Mr. Smith, Mr. Grove, Mr. Leigh, Mr. Gautier, Mr. Polk, Mr. Macon, Mr. Mebane, Mr. Taylor, Mr. Dickins and Mr. Hay.

The foregoing being read, Ordered, That the following message be sent to the House of Commons:

Mr. Speaker and Gentlemen:

The resolution of your house appointing a committee of finance, and directing their enquiries, we return you concurred with. The gentlemen named in our message of yesterday on this head, will act on the part of this house.

Received from the House of Commons a petition of Mark Patterson, a petition of Michael Montgomery, a petition of John Simmons, a petition of John Crawford, a petition of Daniel Campbell, and a petition of William C. Webb and Conyers White, severally endorsed "Referred to the committee of propositions and grievances;" which were read, referred as by the house of commons and returned.

Received also the following message:

Mr. Speaker and Gentlemen:

This house propose that a joint committee be appointed, to consider of and report what measures are proper to be adopted for the rectifying of mistakes committed in the issuing of patents or grants for lands from the late land-offices in this State, or the land-offices of the late King of Great-Britain, or of the late Lords Proprietors. We have on our parts appointed Mr. Dickins, Mr. Person, Mr. Irwin and Mr. Smith on this committee.

The foregoing being read, Ordered, That the following message be sent to the House of Commons:

Mr. Speaker and Gentlemen:

Mr. Philips, Mr. Graham and Mr. Hargett, will act with the gen-

tlemen by you named for the purpose of correcting errors in patents, &c.

Received likewise the following message:

Mr. Speaker and Gentlemen:

This House have on their parts appointed a committee to consider of and report to the two houses what bills of a public nature are proper to be passed into laws at the present session, and propose that some gentlemen of your body be appointed to act with them; the gentlemen nominated by this house are Mr. Lock, Mr. Taylor, Mr. Macon, Mr. Person, Mr. Mebane, Mr. Polk, Mr. B. Smith, Mr. Hay, Mr. Sutherland, Mr. Dickins, Mr. Leigh, Mr. Guion, Mr. Franklin, Mr. Creecy. We have received the message of your house proposing to appoint a committee of propositions and grievances, and also a committee of claims, and have acceded thereto. For the committee of propositions and grievances we have appointed Mr. Porter, Mr. Irwin, Mr. Dickins, Mr. Leigh, Mr. Sawyer, Mr. Allen, Mr. Watters, Mr. M'Kay and Mr. Carrington. For the committee of claims we have appointed Mr. Porter, Mr. Caldwell, Mr. Mebane, Mr. Hawkins, Mr. Montgomery, Mr. Handy, Mr. Scull, Mr. Wood, Mr. Irwin.

Ordered, That the following message be sent to the House of Commons:

Mr. Speaker and Gentlemen:

We agree that a committee be appointed to consider of and report what bills of a general nature are necessary to be passed into laws at the present Assembly, and have made choice of Mr. Lane, Mr. Graham, Mr. Clinton, Mr. Hargett, Mr. Kenan, Mr. M'Dowall and Mr. Courtney, to act with the gentlemen by you named for this purpose.

Mr. Hargett presented the petition of John Richards and others, of Jones county; which was read, referred to the committee of propositions and grievances and sent to the House of Commons.

Mr. Riddick presented the petition of Isaac Hunter, of Gates county; which was read, referred to the committee of claims, and sent to the House of Commons.

Received from the House of Commons the following message:

Mr. Speaker and Gentlemen:

We herewith transmit you a message this day received from his Excellency the Governor, together with the several papers therein referred to, which we propose referring to the joint committee ap-

pointed to consider of the bills proper to be prepared and passed into laws during the present session.

The foregoing being read, Ordered, That the following message be sent to the House of Commons:

Mr. Speaker and Gentlemen:

We consent that the message of to-day from his Excellency the Governor, together with the papers accompanying it, be reported on by the committee on public bills.

Received from the House of Commons the following messages:

Mr. Speaker and Gentlemen:

We have appointed Mr. Irwin, Mr. Polk, Mr. Lord, Mr. Dudley, Mr. Franklin, Mr. Leigh and Mr. Borden, to act with the gentlemen by you nominated, as a committee to remedy the complaint of Adam Lawrence, and to report some plan for the relief of such persons who hold military certificates granted in 1786 at Warrenton, as were not fraudulently obtained.

Mr. Speaker and Gentlemen:

We herewith return to you the petition of John Richards, which we propose referring to the committee to adopt measures for the correcting errors in patents, believing that to be more properly a subject for their consideration than of the committee of propositions and grievances, as by you proposed.

Ordered, That the following message be sent to the House of Commons:

Mr. Speaker and Gentlemen:

We consent that the petition of John Richards shall be reported on by the committee appointed to correct errors in patents, as by you proposed.

Received from the House of Commons a representation of the public Treasurer, endorsed "Referred to the committee of finance;" which was read, referred in like manner by this house and returned.

Received also a petition of Wm. Croom, and a petition of Dennis Hankins; each endorsed "Referred to the committee appointed to correct errors in patents;" which were read, referred in like manner by this house and returned.

Received likewise a petition of sundry inhabitants of Hyde county, endorsed "Referred to Mr. M'Laine, Mr. Porter, Mr. Jasper and Mr.

Stone;" which being read, was referred on the part of this house to Mr. Riddick, Mr. Grove and Mr. Bell.

The house adjourned until to-morrow morning, 10 o'clock.

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THURSDAY, November 4, 1790.

Met according to adjournment.

Received from the House of Commons a petition of sundry inhabitants of Orange county, endorsed "Referred to Mr. Polk, Mr. Mebane, Mr. Jones, Mr. Stone and Mr. Franklin;" which being read, was on the part of the Senate referred to Mr. Courtney, Mr. Kenan and Mr. Graham.

Received also a petition of a number of the inhabitants of Mecklenburg county, endorsed "Referred to the committee appointed on the petition of the inhabitants of Orange county;" which being read, was referred in like manner by this house and returned.

Received likewise a petition of Joseph Ingram, and a petition of David Robinson; the first endorsed, "Referred to the committee of propositions and grievances;" and the second, "Referred to the committee appointed to devise a plan for correcting errors in patents;" which being read, each was referred as by the House of Commons and returned.

Mr. Payne presented the petition of sundry of the inhabitants of Caswell county, praying a division thereof; which being read, Mr. Payne moved for leave and presented a bill for dividing the county of Caswell; which was read, passed the first time and sent to the House of Commons.

Received from the House of Commons the following message:

Mr. Speaker and Gentlemen:

We have added Mr. Gautier, Mr. Jones and Mr. Stone to the committee appointed to report what bills of a public nature are necessary to be passed into laws at the present Assembly.

Received also a petition of George Merrick, endorsed "Referred to the committee appointed on the petition of the inhabitants of Orange county;" which was read, referred in like manner by this house and returned.

On motion of Mr. Hargett, Ordered, That the bill to carry into effect a resolution of Congress passed the 29th of September, 1789,

lie on the table for consideration till to-morrow morning, and that it be then taken up and read for the second time in this house.

Received from the house of commons the petition of Isaac Hunter, endorsed "Read and referred as by the Senate."

The House adjourned till to-morrow morning, 9 o'clock.

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FRIDAY, November 5, 1790.

Met according to adjournment.

The bill to carry into effect a resolution of Congress, passed the 29th of September, 1789, was read the second time in this house, passed and sent to the House of Commons.

The house adjourned till to-morrow morning, 10 o'clock.

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SATURDAY, November 6, 1790.

Met according to adjournment.

Mr. John A. Campbell, the member for the county of New Hanover, and Mr. James Armstrong, the member for the county of Pitt, appeared, presented the certificate of their election, were qualified agreeably to law and took their seats.

Mr. Hargett from the committee of propositions and grievances, delivered in the following reports, viz.:

The committee to whom the petition of John Simmons was referred, report—That from the testimony adduced to your committee, it appears that the said John Simmons has failed to settle his accounts with the Treasurer for taxes by him collected as Sheriff of the county of Currituck, and wishes the interposition of the General Assembly; they are therefore of opinion it is a matter that does not come before the General Assembly, and that the petition be rejected.—Which is submitted. FRED. HARGETT, Ch.

The committee of propositions and grievances to whom was referred the petition of John Crawford, formerly Sheriff of the county of Anson, report—That having strictly enquired into the allegations in the said petition set forth, giving each its due weight, together with the testimony adduced: Your committee are of opinion the law under which the tax of that year was laid, is sufficient to authorize

the said Sheriff to collect all arrearages of taxes due from individuals without the interposition of the legislature.—Which is submitted.

FRED. HARGETT, Ch.

The Committee to whom the petition of David Campbell, of Currituck county, was referred, report—That having strictly enquired into the merits of the said petition, and duly examined the testimony in support of the same, they find the allegations therein contained, to be founded in fact; and are therefore of opinion the prayer of the petitioner ought to be granted, and do recommend the following resolution, viz.:

Resolved, That William Ferebee, Esq., Clerk of the Court of Currituck county, do, and he is hereby authorised and directed to grant licence unto David Campbell to hawk and sell goods, wares and merchandize, without demanding or receiving the tax by law required to be taken by Clerks of the several county courts within this state on all such license so granted or issued, and this resolution shall and may pass to the credit of the said William Ferebee as cash in the settlement of his accounts with the Treasurer; who is hereby directed and required to receive the same as such in lieu of the tax enjoined the Clerk to collect on the licence herein before mentioned.—Which is submitted. FRED. HARGETT, Ch.

The committee of propositions and grievances to whom was referred the petition of Mark Patterson, report—That for the want of sufficient testimony to substantiate the said claim, which testimony from the information of Gen. Mebane, Mr. Patterson did not think would be necessary to accompany his claim, your committee are of opinion the prayer of the petition ought not to be granted. Which is submitted. FRED HARGETT, Ch.

Your committee of propositions and grievances to whom the petition of Joseph Ingram was referred, are of opinion the allegations set forth in the said petition are not well supported, nor does it appear that the certificate is actually destroyed, they therefore reject the petition.—Which is submitted. FRED. HARGETT, Ch.

The committee of propositions and grievances on the petition of William C. Webb and Conyers White, report—That having duly enquired into the legality of the petitioners claim, and the allegations therein set forth, your committee are of opinion it does not come

properly before the legislature of this State, and therefore reject it. Which is submitted. FRED. HARGETT, Ch.

The house taking the foregoing reports into consideration, concurred therewith.

Received from the House of Commons a report on the petition of Dennis Hankins. A report of the committee appointed to introduce bills of a public nature. And a resolution directing that all claims, in the first instance, be introduced before the committee of claims; which were severally read, concurred with and returned.

Mr. Hargett presented the petition of Helen Tylor; which being read,

Ordered, That the following message be sent to the House of Commons.

Mr. Speaker and Gentlemen:

We herewith send you the petition of Helen Tylor, which we propose shall be reported on by a joint committee; and that the committee be requested to report a plan by which all persons holding like claims may be relieved. Should you agree to the appointment of a committee for these purposes, Mr. Graham, Mr. Kenan and Mr. Campbell will act on the part of this house.

Received from the House of Commons a bill to confirm unto Thomas P. Williams, of Currituck county, an indefeasible title to two acres of land at Bellville, in Currituck county, given by Thomas M'Knight, for the purpose of erecting a chapel, agreeable to an act of Assembly passed at New Bern, in March, 1774; and a bill directing the Entry-taker of Rutherford county to deliver certain warrants therein mentioned to the surveyor of said county; each endorsed "Read the first time and passed."

Ordered, That these bills be read; which being read, were passed the first time in this house and returned.

Mr. Clay presented the memorial of Robert Burton, Esq., which was read, referred to the committee of propositions and grievances and sent to the House of Commons.

Received from the House of Commons a petition of Richard Cogdell, endorsed "Referred to the committee of propositions and grievances;" and a petition of James Forsyth, endorsed "Referred to the committee appointed to devise a plan to correct errors in patents;" which being read, each was referred as by the House of Commons and returned.

Mr. Skinner presented the petition of William Skinner, Esq., Commissioner of Continental loans; which was read, referred to the committee on Finance and sent to the House of Commons.

Received from the House of Commons the following message:

Mr. Speaker and Gentlemen:

We send herewith a letter this day received from the Treasurer, together with the papers therein referred to, which we propose referring to the committee of finance.

Ordered, That the following message be sent to the House of Commons:

Mr. Speaker and Gentlemen:

We agree that the letter of this day's date from the public Treasurer, together with its enclosures, be reported on by the committee of finance.

Received from the House of Commons a bill to keep open Deep-river, for the passage of fish up the same, and to repeal an act passed at Tarborough, in the year 1787, entitled, "An act to enable the county courts to appoint Commissioners to keep open rivers and creeks at their several falls, for the free passage of fish up the same," so far as the said act may be constructed to relate to Deep-river; endorsed "Read the first time and passed."

Ordered, That this bill be read; which being read, was passed the first time in this house and returned.

Received also the bill for dividing the county of Caswell, endorsed "Read the first time and passed."

Ordered, That this bill be read; which being read, was passed the second time in this house and returned.

Received likewise a memorial of John M'Kenzie, and a memorial of Robert Martin, each endorsed "Referred to the committee of propositions and grievances;" which being read, were referred in like manner by this house and returned.

The house adjourned till Monday morning, 10 o'clock.

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Monday, November 8, 1790.

Met according to adjournment.

Received from the House of Commons the following message:

Mr. Speaker and Gentlemen:

We have appointed a committee on the part of this house on the

petition for Helen Tylor and for the other purposes expressed in your message accompanying the petition.

Received also a resolution prescribing rules for the government of the present Assembly in reading and passing bills; which being read, was on motion rejected. And,

Ordered, That the following message be sent to the House of Commons:

Mr. Speaker and Gentlemen:

The resolution of your house prescribing rules for the government of the two houses in reading and passing bills we have received and rejected, from a belief that the mode therein pointed out will be attended with more delay than that which has heretofore been observed; we therefore propose that the rules observed by the last Assembly be adhered to by the present.

Received from the House of Commons the report of the committee on the petition of Joseph Ingram, the report on the petition of John Crawford, the report on the petition of David Campbell, the report on the petition of Mark Patterson, and the report of the committee on the petition of William C. Webb and Conyers White; severally endorsed "Concurred with."

Received also a petition of Ptolemy Powell, and a petition of Philip Neill, each endorsed "Referred to the committee of propositions and grievances;" which were read, referred in like manner and returned.

Received likewise the petition of William Skinner, and the memorial of Robert Burton, each endorsed "Read and referred as by the Senate.

Mr. Riddick from the committee delivered in the following report:

The committee to whom was referred the petition of the inhabitants of Hyde county, report,—That it appears to your committee that the court-house and prison have been consumed by fire, and that the place whereon they were built is not the most central and convenient to the majority of the inhabitants of said county. Your committee are of opinion, that many inconveniences would be remedied by granting the privilege to erect the public buildings on Bell's bay, near Jasper's creek, and recommend that a bill be brought in to carry this into effect, which will coincide with the prayer of the petitioners. All which is submitted. JOSEPH RIDDICK, Ch.

The house taking this report into consideration, concurred therewith.

Received from the House of Commons a bill to repeal part of the fifth section of an act of the General Assembly, passed at New Bern, in 1784, entitled, "An act for raising a public revenue for the support of government, and to repeal an act to suppress excessive gaming;" and a bill for building a court-house in the town of Hillsborough, for the district of Hillsborough; also a bill to alter the place of holding the county court of Hyde county from Woodstock to Bell's bay or Jasper's creek in said county, and to erect a new court-house, prison and stocks; each endorsed "Read the first time and passed."

Ordered, That these bills be read; which being read, were passed the first time in this house and returned.

Mr. Graham moved for leave and presented a supplemental bill to an act, entitled, "An act concerning old titles of land, for limitation of actions, and for avoiding suits at law;" which was read, passed the first time and sent to the House of Commons.

Mr. Benford presented the petition and account of Allen Jones, Esq., late a Delegate from this State to the Congress of the United States; which was read, referred on the part of the Senate to the committee of propositions and grievances and sent to the House of Commons.

Mr. Hill moved for leave and presented a bill to amend an act passed at Fayetteville, in November, in the year 1786, entitled "An act to amend an act, passed at New Bern, in the year 1785, entitled An act for increasing the jurisdiction of the county courts of pleas and quarter-sessions and of the Justices of the Peace out of court, and directing the times of holding courts in this State, and for giving to the county courts of pleas and quarter-sessions a chancery jurisdiction in the cases therein mentioned; which was read, passed the first time and sent to the House of Commons.

Received from the House of Commons the following message:

Mr. Speaker and Gentlemen:

We propose that the petitions for and against the division of Caswell county, together with the bill for that purpose and the other papers thereto relating, be all referred to a joint committee of both houses; and that they be directed specially to report all such facts concerning the allegations in the petitions as may be necessary to guide the judgment of the two houses.

Ordered, That the following message be sent to the House of Commons:

Mr. Speaker and Gentlemen:

We agree that the bill, together with the petitions for and against the division of Caswell county, be reported on by a joint committee, and have appointed on our parts for this purpose Mr. M'Dowall, Mr. Campbell and Mr. Clay. We have added Mr. Armstrong to the committee appointed to devise a plan for correcting errors in patents, and Mr. Clinton to the committee of claims.

Received from the House of Commons the following message:

Mr. Speaker and Gentlemen:

We have added Mr. Caldwell and Mr. Withrow to the committee of propositions and grievances; Mr. Jones, Mr. Stone, Mr. Pride and Mr. Guion to the committee of finance; Mr. Stallins to the committee of claims; Mr. Wood to the committee on patents; and Mr. Pride to the committee on public bills.

The resignation of Frederick Hargett, as Colonel of the militia in Jones county, was read, accepted and sent to the House of Commons.

Mr. Armstrong presented the petition of the Hon. William Blount; which was read, referred on the part of this house to the committee appointed to devise a plan for correcting errors in patents, and sent to the House of Commons.

Received from the House of Commons a petition of Francis Martin, endorsed "Referred to the committee of finance;" which was read, referred in like manner by this house and returned.

Mr. Skinner moved for leave and presented a bill empowering the Assistant-Marshals to call the inhabitants of their several divisions together at such time and place as they may appoint, for the purpose of taking the enumeration thereof more effectually; which was read, passed the first time and sent to the House of Commons.

Received from the House of Commons a bill to make Cross-creek navigable, endorsed "Read the first time and passed."

Ordered, That this bill be read; which being read, was passed the first time in this House and returned.

The resignation of Henry Hill, Esq., a Justice of the Peace for the county of Franklin, was read, accepted and sent to the House of Commons.

Received from the House of Commons the petition of Hon. Wil-

liam Blount, and the petition and account of Allen Jones, Esq., each endorsed "Read and referred as by the Senate."

Received also the resignation of Frederick Hargett, Esq., as Colonel of the Jones county militia, endorsed "Read and accepted."

Received likewise the memorial of John Walker, of the town of Wilmington, endorsed "Referred to the committee of propositions and grievances;" which was read, referred in like manner by this House and returned.

Received likewise a bill to pardon and consign to oblivion the offences and misconduct of certain persons, &c., endorsed "Read the first time and passed." Also several petitions relative thereto; which being read, it was, on motion of Mr. Hargett,

Ordered, That the following message be sent to the House of Commons:

Mr. Speaker and Gentlemen:

We propose that the bill, together with the papers accompanying it, to pardon certain misdemeanors committed in the counties of Edgecomb, Pitt and Martin, be submitted to the consideration of a joint committee; and that this committee be directed to report specially thereon; for this purpose we have appointed Mr. Armstrong, Mr. Philips and Mr. Qualls.

Received from the House of Commons the bill directing the Entry-taker of Rutherford county to deliver certain warrants therein mentioned to the Surveyor of said county; which being read, it was on motion,

Ordered, That Mr. Dixon have leave to withdraw it for amendment.

The house adjourned until to-morrow morning, 10 o'clock.

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TUESDAY, November 9, 1790.

Met according to adjournment.

Mr. Mooring presented the resignation of Andrew Bass, as a Justice of the Peace for the county of Wayne; which was read, accepted and sent to the House of Commons.

Mr. Berger presented the petition of Joseph Cuningham, of Rowan county; which was read, referred on the part of the Senate to the committee appointed on the petition from Orange county, and sent to the House of Commons.

On motion of Mr. Macon, Ordered, That the following message be sent to the House of Commons:

Mr. Speaker and Gentlemen:

We propose to ballot at 10 o'clock to-morrow morning for a Governor of this State the ensuing year, and public Treasurer; and nominate for Governor, Alexander Martin, Esq., and for public Treasurer, John Haywood, Esq. Should you accede to this proposition you will signify the same by message.

Received from the House of Commons the bill empowering the assistant Marshals to call the inhabitants of their several divisions together, at such time and place as they may appoint, for the purpose of taking the enumeration thereof more effectually, endorsed "Read the first time and passed."

Ordered, That this bill be read; which being read, was on motion rejected.

Received also the following message:

Mr. Speaker and Gentlemen:

We herewith send you the bill to keep open Deep-river for the passage of fish up the same, which we propose referring to the committee on the petition from Orange county.

Ordered, That the following message be sent to the House of Commons:

Mr. Speaker and Gentlemen:

We agree that the bill for keeping open Deep-river, &c., be reported on by the committee appointed on the petition from Orange as by you proposed.

Received from the House of Commons a bill to emancipate Ammaritta, Davy, Joan and Abbey, negro and mulatto slaves, now the property of Jeremiah Symons, of Pasquotank county; endorsed "Read the first time and passed."

Ordered, That this bill be read; which being read, was passed the first time in this House and returned.

Received also a petition of Wright Stanley, of the town of New Bern, endorsed "Referred to the committee appointed to correct errors in patents;" which was read, referred in like manner and returned.

Mr. M'Dowall presented the petition of David Baker, of Burke county; which was read, referred to the committee of propositions and grievances and sent to the House of Commons.

Mr. Dixon, who had leave to withdraw for amendment the bill directing the Entry-taker of Rutherford county to deliver certain warrants therein mentioned to the surveyor of said county, delivered in the same with the amendments; which was read, passed the second time and sent to the House of Commons.

Received from the House of Commons the resignation of William Dent, as a Justice of the Peace for the county of Guilford, and the resignation of Stephen Swain, a Justice of the Peace for the county of Tyrrel, each endorsed "Accepted;" which were read, accepted of by this house and returned.

Received also the bill to amend an act passed at Fayetteville, in Nov., 1786, entitled, "An act to amend an act passed at New Bern, in the year 1785, entitled, An act for increasing the jurisdiction of the county courts of pleas and quarter-sessions, and of the Justices of the Peace out of court, and directing the times of holding courts in this State," &c., which being read, it was on motion

Ordered, That Mr. Hill have leave to withdraw it for amendment.

Received likewise a resolution directing the committee of claims with respect to allowances by them to be made; which was read, concurred with and returned.

Mr. Hill moved for leave and presented a bill to amend an act, entitled, "An act to amend an act for altering the time of holding the annual elections and annual Assemblies and directing the manner of electing annual officers for the succeeding year;" which was read, passed the first time and sent to the House of Commons.

Received from the House of Commons a bill to alter the place of holding the county court of Hyde county, from Woodstock to Bell's bay or Jasper's Creek in said county, and to erect a new court-house, prison and stocks; endorsed "Read the first time and passed."

Ordered, That this bill be read; which being read, was passed the second time in this House and returned.

Mr. Stewart presented the petition of Thomas Wade, complaining of an illegal election in the county of Anson; which being read, was on motion referred to the committee of privileges and elections.

On motion of Mr. Hargett, Resolved, That any seven members of the committee of propositions and grievances shall be a quorum to act on the business to them referred.

Received from the House of Commons a resignation of Hardy Sanders, as Col. of the Wake regiment of militia, also as a Justice of

the Peace for the said county, endorsed "Accepted;" which was read, also accepted by this House and returned.

Received likewise the following message:

Mr. Speaker and Gentlemen:

We concur with the proposition of your House for committing the bill to pardon and consign to oblivion the offences of certain persons in the counties of Martin, Edgecombe and Pitt; and have on our parts appointed Mr. Leigh, Mr. Stone, Mr. Bell, Mr. Hay and Mr. Taylor to act on that committee. Mr. Moore, Mr. Gaither, Mr. Sutherland, Mr. Pride, Mr. Montgomery, Mr. Dawson, Mr. Dickson and Mr. Hay are appointed a committee on the part of this house to act with the gentlemen by you appointed to report on the petitions for and against the division of Caswell county.

Received likewise the petition of David Baker, and the petition of Joseph Cunningham, each endorsed "Read and referred as by the Senate."

On motion, Ordered, That Mr. Hargett be added to the committee appointed on the bill to consign to oblivion the misconduct of certain persons in the counties of Pitt, Edgecombe and Martin; and that the following message be sent to the House of Commons:

Mr. Speaker and Gentlemen:

We have added Mr. Hargett to the committee appointed on the petition of sundry inhabitants of the counties of Edgecombe, Martin and Pitt.

Received from the House of Commons a resolution directing that the papers laid before this Assembly to substantiate the claim of Wm. C. Webb and Conyers White, be delivered them when called for; which was read, concurred with and returned.

On motion of Mr. Lane, Ordered, That the following message be sent to the House of Commons:

Mr. Speaker and Gentlemen:

We have added Mr. Stewart to the committee appointed to enquire into the propriety of keeping open Deep-river for the passage of fish.

Received from the House of Commons the following message:

Mr. Speaker and Gentlemen:

We have added Mr. Matthews and Mr. Taylor to the committee to correct errors in patents, &c., and Mr. Jasper, Mr. Handy, Mr. Jones, Mr. Nash, Mr. Pickett, Mr. Sanders and Mr. Alston, to the committee of propositions and grievances.

Received also the petition of Col. Henry Emanuel Lutterloh, endorsed "Referred to the committee appointed to correct errors in patents;" which was read, referred in like manner by this house and returned.

Received from the House of Commons the following message:

Mr. Speaker and Gentlemen:

We have received your message relative to the committee of propositions and grievances, which we do not fully approve of. We propose that the resolution herewith sent you be adopted in lieu thereof.

The resolution above alluded to being read, was concurred with and returned.

Mr. Hargett delivered in the following report:

The committee to whom the petition of a number of the inhabitants of the counties of Pitt, Martin and Edgecombe, was referred, report—That on information before the committee, it fully appears, that Roderick Loyd, Abram Tennison, Jun., Abram Tennison, Sen., Jacob Tennison, Absalom Tennison, Thomas Tennison and Joseph Tennison, John Worflay, James Worflay and Pitman Worflay, Media White, Nathan Thigpen, Thomas Tyler, Peter Tyler and William Tyler, John Stanton and Charles Stanton, Sovereign Meeks and David Meeks, Elijah Hobgood, John Hobgood and William Cherry, against whom some outrage has been committed, persons of infamous and abandoned characters, against whom, from their cunning and address, the laws had proven inefficient; and that the concerned in said outrage should be pardoned. It also appears that Daniel Bunton hath been indicted for trespass, assault, battery, riot or misdemeanor against the aforesaid infamous characters: The committee therefore recommend the said Daniel Bunton, with all other persons with him concerned in commission of the said assaults, batteries, riot or misdemeanors, shall be pardoned for said offences and no others. Therefore, Resolved, That the bill to us committed be so amended.

FRED. HARGETT, Ch.

The house taking this report into consideration concurred therewith.

The house adjourned until to-morrow morning, 10 o'clock.

WEDNESDAY, November 10, 1790.

Met according to adjournment.

On motion, Ordered, That the following message be sent to the House of Commons:

Mr. Speaker and Gentlemen:

We have added to the committee of propositions and grievances Mr. Gillespie, Mr. Bethell, Mr. Dickson and Mr. Singleton.

Received from the House of Commons the following message:

Mr. Speaker and Gentlemen:

We propose that a committee of the two houses be had on Monday the 15th inst. to take under consideration the internal policy of this State, and its present interests as connected with the general government of the United States.

The foregoing being read, Ordered, That the following message be sent to the House of Commons:

Mr. Speaker and Gentlemen:

We have received your message proposing to convene the two houses on Monday next in conference, in order to take into consideration the internal policy of this State, and its interests as connected with the United States; with which we do not concur.

Mr. Courtney moved for leave and presented a bill to amend an act to prevent abuses in taking up stray horses, cattle, sheep and hogs, and other things therein mentioned; which was read, passed the first time and sent to the House of Commons.

Mr. Hill who had leave to withdraw for amendment the bill to amend an act, passed at Fayetteville in November, 1786, entitled "An act to amend an act, passed at New Bern, in the year 1785, entitled An act for increasing the jurisdiction of the county courts of pleas and quarter-sessions and of the Justices of the Peace out of court, and directing the time of holding courts in this State, delivered in the same; which being read with the amendments, it was, on motion of Mr. Macon, seconded by Mr. Hargett, Ordered, That it be submitted to the consideration of five members of this House; and that Mr. Hill, Mr. Graham, Mr. Macon, Mr. Hargett and Mr. M'Dowall be appointed for this purpose.

Received from the House of Commons a memorial and petition

of Hance Bond, endorsed "Referred to the committee of propositions and grievances;" which was referred in like manner and returned.

Mr. Graham moved for leave and presented a bill to repeal an act, entitled, "An act providing means for the payment of the domestic debt, for appropriating certain monies therein mentioned, and to amend an act passed the last session of the General Assembly, entitled, An act for levying a tax for the support of government, and for the redemption of the old paper currency, continental money, specie and other certificates, and also part of another act, entitled, An act for opening the land-office for the redemption of specie and other certificates, and discharging the arrears due to the army;" which was read, passed the first time, and sent to the House of Commons.

Received from the House of Commons a bill to authorize the Sheriffs of Brunswick and New-Hanover counties respectively to serve writs or other process on Cape-Fear river, or the branches thereof, which divide the said counties, endorsed "Read the first time and passed."

Ordered, That this bill be read; which being read, was passed the first time in this house and returned.

Mr. Hargett moved for leave and presented a bill to pardon and consign to oblivion the offences and misconduct of Daniel Bunton, and divers other persons of the counties of Martin, Pitt and Edgecombe; which was read, passed the first time, and sent to the House of Commons.

Mr. Skinner moved for leave and presented a bill to amend an act, passed at Hillsborough in 1784, entitled "An act to encourage Enoch Sawyer to make a road through Pasquotank river swamp, opposite his plantation;" which was read, passed the first time and sent to the House of Commons.

Received from the House of Commons the bill to confirm unto Thomas P. Williams, of Currituck county, an indefeasible title to two acres of land at Bellville, in Currituck county, endorsed "Read the second time and passed."

Ordered, That this bill be read; which being read, was passed the second time and returned.

Received also the supplemental bill to the act, entitled "An act concerning old titles of land, for limitation of actions, and for avoiding suits at law;" which was read, and on motion of Mr. Hargett, Ordered that it lie on the table for consideration until to-morrow morn-

ing, and that it then be taken up and read as the second time in this house.

The house adjourned till to-morrow Morning, 10 o'clock.

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THURSDAY, November 11, 1790.

Met according to adjournment.

Agreeable to the order of the day, the bill for cutting a navigable canal from the waters of Pasquotank river in this State, to the waters of Elizabeth river in the State of Virginia, was read, passed the first time and sent to the House of Commons.

Mr. Hill, who had leave to withdraw for amendment the bill to amend an act, entitled "An act to amend an act, entitled An act to alter the time of holding the annual elections and annual assemblies, and directing the manner of electing annual officers for the succeeding year," delivered in the same with the amendments; which was read, passed the second time and sent to the House of Commons.

Received from the House of Commons a petition of Marshall Diggs, endorsed "Referred to the committee appointed to devise a plan for correcting errors in patents;" which being read, was on motion rejected.

Received also the petition of Joshua Skinner, Ashberry Sutton, and others, inhabitants of Perquimans county, endorsed "Referred to the committee of propositions and grievances No. 2;" which was read, referred in like manner by this House and returned.

Received likewise the resignation of Joseph Stewart and Thomas Blackstone, as Justices of the Peace for the county of Chatham, endorsed "Accepted;" which were read, accepted by this house and returned.

Agreeable to the order of the day, the supplemental bill to the act, entitled "An act concerning old titles of land, for limitation of actions, and for avoiding suits at law," was read, amended, passed the second time and sent to the House of Commons.

Received from the House of Commons the bill directing the Entry-taker of Rutherford county to deliver certain warrants therein mentioned to the Surveyor of said county, endorsed "Read the third time and passed."

Ordered, That this bill be read; which being read, was amended by consent of the House of Commons, passed the third and last time and ordered to be engrossed.

On motion of Mr. M'Dowall, Ordered, That the bill to pardon and consign to oblivion the offences and misconduct of Daniel Bunton, and others, of the counties of Martin, Pitt and Edgecombe, lie on the table for consideration until to-morrow, and that it be then taken up and read the second time in this house.

Received from the House of Commons the bill for building a court-house in the town of Hillsborough, for the district of Hillsborough; and a bill to repeal all acts, clauses and parts of acts of the General Assembly of this State as relate to classing tobacco; each endorsed "Read the first time and passed."

Ordered, That these bills be read; which being read, the first was passed the second, and the latter the first time in this house and returned.

Mr. Hargett presented the memorial of Daniel Williams, late an officer in the continental line of this State; which being read, was on motion referred to the committee appointed to devise a plan for the relief of persons holding certificates issued at Warrenton in 1786, and not fraudulently obtained.

The house adjourned till 4 o'clock P. M.

Met according to adjournment.

Ordered, That the following message be sent to the House of Commons.

Mr. Speaker and Gentlemen:

We have added Gen. Armstrong to the committee appointed to devise a plan for the relief of persons holding certificates issued at Warrenton in 1786, and not fraudulent.

The house adjourned till to-morrow morning, 9 o'clock.

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FRIDAY, November 12, 1790.

Met according to adjournment.

Mr. Armstrong presented a petition from sundry of the inhabitants of Hyde county, praying that the public buildings of said county may be erected at the town of Woodstock; which being read,

Ordered, That the following message be sent to the House of Commons:

Mr. Speaker and Gentlemen:

We propose that the petition herewith sent you, together with all the papers before this Assembly relative to the public buildings of

Hyde county, be committed to the consideration of the same committee, who shall report their opinion as to the most eligible spot for erecting a court-house on.

Agreeable to the order of the day, the bill to pardon and consign to oblivion the offences and misconduct of Daniel Bunton, and divers other persons, of the counties of Martin, Pitt and Edgecombe was called for and read; when, on motion of Mr. M'Dowall, seconded by Mr. Graham, the same was rejected.

Received from the House of Commons a petition of Thomas Neale and John Hall, endorsed "Referred to the committee of propositions and grievances No. 2;" which was read, referred in like manner by this house and returned.

Received also a bill to enable the Wardens of the poor for the counties of Pasquotank and Carteret to build a house for the reception of the poor of the said counties, and for levying a tax to defray the expence thereof, endorsed "Read the first time and passed."

Ordered, That this bill be read; which being read, was passed the first time in this house and returned.

Mr. Hargett delivered in the following report:

Your committee of privileges and elections to whom was referred the memorial of Thomas Wade, report—That having taken under their consideration the said memorial and sundry depositions relative thereto, are of opinion, that the allegations in the said memorial are not supported by sufficient testimony; and that Lewis Lanier, the sitting member, is entitled to a seat in the present General Assembly. Which is submitted. FRED. HARGETT, Ch.

Resolved, That the house do concur with this report.

Received from the House of Commons a bill for prohibiting the importation and admission of black persons into this State, endorsed "Read the first time and passed."

Ordered, That this bill be read; which being read, was passed the first time in this house and returned.

Mr. Phillips presented the petition of Matthew Stockdale, Amos Johnston, and others; which was read, referred to the committee appointed to devise a plan for correcting errors in patents, and sent to the House of Commons.

Received from the House of Commons a bill to prevent the building a mill on the Little river of Peedee, below M'Donald's mill, and other purposes.

Received the memorial of Daniel Williams, endorsed "Referred as by the Senate." Also a petition of Samuel Williams, and a petition of Edmund Randall, endorsed "Referred to the committee of propositions and grievances No. 2;" which were read, referred in like manner by this house and returned. Likewise a bill to direct the mode of proceeding in suits brought by persons detained in slavery for the recovery of their freedom. And a bill to prevent any person who now does, or who may hereafter, hold any office, appointment or authority under the federal government, from being eligible to a seat in the General Assembly of this State; and to prevent any person from holding or exercising any office or appointment under the authority of the said State, so long as they continue to hold or exercise any office or appointment under the authority of the United States. Each endorsed "Read the first time and passed."

Ordered, That these bills be read; which being read, each was also passed the first time in this house and returned.

Mr. Francis Pugh, the member for the county of Bertie, appeared, presented the certificate of his election, was qualified agreeably to law, and took his seat.

Received from the House of Commons a bill to authorise the Sheriffs of Brunswick and New-Hanover counties respectively to serve writs or other process on Cape-Fear river or the branches thereof, which divide the said counties. And the bill to amend an act, passed at Hillsborough in 1784, entitled "An act to encourage Enoch Sawyer to make a road through Pasquotank river swamp, opposite his plantation." Each endorsed "Read the second time and passed."

Ordered, That these bills be read; which being read, each was passed the second time and returned.

On motion of Mr. Hargett, Resolved, That every member who shall fail to give his punctual attendance, or being absent on a call of the house, shall be subject to pay the door-keeper two shillings and six pence, unless a sufficient excuse shall be given, and admitted by the house.

Received from the House of Commons the following bills: A bill to alter and amend the acts for regulating the pilotage and facilitating the navigation of Cape-Fear river. A bill to alter and amend the act for the benefit of insolvent debtors. A bill to extend the term of limitation as a bar to recoveries in personal actions therein named. A bill for incorporating the physicians and surgeons of this State, by the name of North Carolina Medical Society. A bill to amend an

act, entitled "Act to appoint Commissioners to superintend the building a prison and stocks for the district of Fayetteville, and to levy a tax in the counties within the said district for defraying the expences thereof," passed at Fayetteville, in the year 1788. And a bill to alter the mode of swearing petit jurors in the courts of law in this State. Each endorsed "Read the first time and passed."

Ordered, That these bills be read; which being read, were severally passed the first time in this house and returned.

On motion, Ordered, That the following message be sent to the House of Commons:

Mr. Speaker and Gentlemen:

We have added Mr. Bethel and Mr. Courtney to the committee appointed on the petitions for and against the division of Caswell county.

On motion, Ordered, That Mr. Hargett have leave to withdraw for amendment the bill to repeal part of the fifth section of an act of the General Assembly, passed at New Bern, in the year 1784, entitled "An act for raising a public revenue for the support of government, and to repeal an act to suppress excessive gaming."

The house adjourned until to-morrow morning, 10 o'clock.

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SATURDAY, November 13, 1790.

Met according to adjournment.

Mr. Courtney, who had leave to withdraw for amendment an act to prevent abuses in taking up stray horses, cattle, sheep and hogs, and other things therein mentioned, delivered in the same with the amendments; which was read, passed the second time and sent to the House of Commons.

Received from the House of Commons the following message:

Mr. Speaker and Gentlemen:

The three messages from his Excellency the Governor herewith sent, together with the references, we propose shall be committed to the committee appointed to consider of and report such bills of a public nature as are necessary to be passed into laws.

The foregoing being read, Ordered, That the following message be sent to the House of Commons.

Mr. Speaker and Gentlemen:

The messages from his Excellency the Governor of to-day, and

other papers accompanying them, we agree shall stand referred as by you proposed.

Received from the House of Commons a report of the committee on the petition of Francois X. Martin, endorsed "Concurred with;" which being read, was on motion rejected.

Received from the House of Commons the following message:

Mr. Speaker and Gentlemen:

We agree that the petition of the inhabitants of Hyde county, with all the papers relative thereto, be committed as by you proposed; and have added Mr. Grove, Mr. Sanders, Mr. Dawson, Mr. Person and Mr. Fulford.

On motion, Ordered, That the following message be sent to the House of Commons.

Mr. Speaker and Gentlemen:

We have added Gen. Armstrong to the committee appointed on the petitions relative to the public buildings in Hyde county.

Received from the House of Commons a petition of Francis Bain, John Hall and others, endorsed "Referred to the committee of claims;" And a memorial of William Steel, and a petition of Mark Bird; each endorsed "Referred to the committee of propositions and grievances;" which were read, referred in like manner by this house and returned.

On motion of Mr. Macon, Ordered, That the following message be sent to the House of Commons:

Mr. Speaker and Gentlemen:

We propose that the bill to make Cross-creek navigable, together with the petition of Mark Russell on that subject, be reported on by a joint committee; for which purpose we have appointed Mr. Riddick, Mr. M'Dowall and Mr. Dauge.

Mr. Hargett from the committee delivered in the following reports, viz.:

The committee of propositions and grievances No. 1, to whom was referred the petition of Philip Null and Christian Sebeau, report—That from indisputable testimony it appears, that the said petitioners were bound in recognizance in the sum of five hundred pounds each, for the appearance of a certain John Weaver as a witness to appear and give evidence against John Hunter and Ezekiel Polk, at Morgan district superior court, September session, 1790: That the said John Weaver did appear at the term aforesaid, but in the course of

the court run away.—It also appears that the said petitioners did make diligent search for the said Weaver, both themselves and others, but without effect, whereby their recognizances become forfeited, though the court remitted three hundred pounds of each of their fines, which still leaves a balance to be paid by each of the petitioners of two hundred pounds. It also further appears from the oral testimony of the members of your honourable body, that had the said Weaver been at court and given evidence against the said John Hunter and Ezekiel Polk, it would have amounted to nothing more than the evidences of others who were witnesses in the same cause.——Your committee are therefore of opinion that the said Philip Null and Christian Sebeau are persons who justly merit the clemency of the legislature, and do recommend that the whole of their fines be remitted. Which is submitted. FRED. HARGETT, Ch.

The committee of propositions and grievances No. 1, to whom was referred the petition of William Lewis and Samuel Harrell, report —That on enquiry had in the premises, it appears that the petition laid before your committee was not preferred by the Indian proprietors of the land mentioned in the said petition, but by persons, as your committee are informed, who hath made a conditional purchase of said land; they are of opinion that it is a matter that does not come properly before the legislature, therefore reject the same. Which is submitted. FRED. HARGETT, Ch.

The committee of propositions and grievances No. 1, to whom was referred the petition of Richard Cogdell, report—That on a strict enquiry had respecting the said Richard Cogdell's claim, it does not appear by any legal testimony that the certificate mentioned in the petition has been actually destroyed, or that it is not at this time in circulation.——Your committee therefore are of opinion that the prayer of the petition be rejected. Which is submitted.

FRED. HARGETT, Ch.

The committee to whom was referred the petition of Ezekiel Arrington, report—That on information before the committee it appears, that a certain Mark Newby did in his lifetime manumit and set free sundry young negro slaves, which liberation was not to take effect until the said slaves attained to the age of twenty-one years. It also appears that the heirs of the said Mark Newby have been and are obliged to take charge of and keep in their care the said slaves, to the manifest injury, of the said heirs, as well as the State in general,

should the said slaves be emancipated.——Your committee therefore from motives of justice and equity are of opinion the prayer of the petition be granted, and do recommend that a bill be brought in to confirm the title of the said slaves in the heirs of Mark Newby forever. Which is submitted. FRED. HARGETT, Ch.

The house taking these reports into consideration, concurred therewith.

Mr. Courtney moved for leave and presented a bill to prevent horse-racing at such time and place as the General Assembly shall hold their sessions; which was read, passed the first time and sent to the House of Commons.

Received from the House of Commons the bill to repeal part of the second and fifth sections of an act of the General Assembly passed at New Bern, in 1784, entitled, "An act for raising a public revenue for the support of government, and to repeal an act to suppress excessive gaming;" and also one other act passed at Fayetteville, in Nov., 1786, entitled, "An act to impose a duty on all slaves brought into this State by land or water;" endorsed "Read the second time and passed." And a bill to incorporate the tradesmen and manufacturers of the towns of Edenton, New Bern, Wilmington and Halifax, endorsed "Read the first time and passed."

Ordered, That these bills be read; which being read, the first was passed the second, and the latter the first time in this house and returned.

Mr. Skinner moved for leave and presented a bill for vesting the property of certain negroes in the heirs of Mark Newby; which was read, passed the first time and sent to the House of Commons.

A reconsideration of the report on the proposals of Francois X. Martin being moved for and carried, it was then on motion of Mr. Hargett, seconded by Mr. Lane,

Ordered, That the following message be sent to the House of Commons.

Mr. Speaker and Gentlemen:

We have received the report of the committee on the proposals of Francois X Martin, with which we do not concur, but propose that it be committed to the same committee.

Received from the House of Commons the bill to empower Etheldred Ruffin, Thomas Branton and others, as therein mentioned, endorsed "Read the first time and passed." And a bill to confirm unto

Thomas P. Williams, of Currituck county, an indefeasible title to two acres of land at Bellville, in Currituck county, endorsed "Read the third time and passed."

Ordered, That these bills be read; which being read, the first was passed the first, and the last the third time in this house and ordered to be engrossed.

Received likewise the following message:

Mr. Speaker and Gentlemen:

The message from his Excellency the Governor, with the letter therein referred to, we propose shall be committed to a joint committee of both houses; and have on our part appointed Mr. Polk, Mr. Person, Mr. Macon, Mr. Lock, Mr. Hay, Mr. Stone, Mr. Witherspoon and Mr. Leigh for that purpose.

The foregoing being read, Ordered, That the following message be sent to the House of Commons:

Mr. Speaker and Gentlemen:

We agree that the message from his Excellency the Governor, enclosing a letter from the Hon. Hugh Williamson be submitted to the consideration of a committee as by you proposed; and have appointed Mr. Macon, Mr. Hargett, Mr. M'Dowall, Mr. Courtney and Mr. Hill on the part of this house.

Received also the following message:

Mr. Speaker and Gentlemen:

The message from his Excellency the Governor, together with the papers therein referred to, we propose shall be committed to the committee of finance.

Ordered, That the following message be sent to the House of Commons:

Mr. Speaker and Gentlemen:

We agree that the message from the Governor, enclosing a letter from the Commissioners for purchasing tobacco in the district of Halifax, be referred as by you proposed.

Mr. Courtney moved for leave and presented a bill for regulating ordinaries, houses of entertainment, ferries and other purposes; which was read, passed the first time and sent to the House of Commons.

Received from the House of Commons the bill to authorise the Constables to serve warrants and other process as therein mentioned, on rivers, bays or creeks within this State, endorsed "Read the third

time, amended and passed." And the bill to emancipate Davy, Ammaritta, Joan and Abbey, negro and mulatto slaves, now the property of Jeremiah Symons, of Pasquotank county; endorsed "Read the second time and passed."

Ordered, That these bills be read; which being read, the first was passed the third and last time, and ordered to be engrossed, and the latter on motion was rejected.

The house adjourned till Monday morning, 10 o'clock.

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MONDAY, November 15, 1790.

Met according to adjournment.

Mr. Hargett delivered in the following reports:

Your committee of propositions and grievances No. 1, to whom was referred the petition of David Baker, report—That on information of Col. M'Dowall, together with the several depositions accompanying the petition, it appears the certificates mentioned in the petition were actually destroyed by fire in manner set forth by the said David Baker. It also appears that the £460 or £470 was certificates issued to the eighteen months soldiers of the Continental line of this State, by John Pierce, Paymaster-General of the United States.——Your committee are of opinion the above sum is a debt against the United States, and that the said David Baker ought to make application to Congress for redress, therefore reject that part of the petition. And as to the specie indent of £16, your committee beg leave to recommend the following resolution in favour of the petitioner:

Resolved, That the Comptroller be and he is hereby required to issue to the said David Baker, a certificate for the sum of £16 specie, in lieu of one so destroyed, he the said David Baker first making it appear to the satisfaction of the Comptroller, by the checks or otherwise, that the one so destroyed was genuine. Which is submitted.

FRED. HARGETT, Ch.

The committee of propositions and grievances, to whom was referred the petition of Ptolemy Powell, report—On information before the committee it appears, that in the month of May, 1782, the said Ptolemy Powell did furnish the public with a horse that was valued at £133 1-3, for which he received a certificate from Col. Samuel Lockhart, as commissioner legally appointed to purchase horses for

the use of the public: In consequence of which, your committee are of opinion that the said Ptolemy Powell is on the same footing with other citizens who have furnished the public with property of the like kind, and therefore reject the petition. Which is submitted.

FRED. HARGETT, Ch.

The committee of propositions and grievances No. 1, to whom was referred the petition of Thomas Boyd, report—That on enquiring into the allegations set forth in said petition, it appears that the said Thomas Boyd is guardian to a certain Wm. Grist, who is an idiot. It also appears that the said Grist is possessed of a small tract of land, together with some personal property. It also appears further that the said idiot is able to do labour sufficient to support himself, should the person in whose care he may be placed pay due attention to him. From these and other circumstances, your committee are of opinion it would be altogether unconstitutional for the legislature to pass an act authorising the said Thomas Boyd to dispose of the lands belonging to the said idiot, and be the means of setting a precedent that cannot be easily checked; they therefore reject the petition. Which is submitted. FRED. HARGETT, Ch.

The house taking the foregoing reports into consideration, concurred therewith.

Mr. Hargett presented the resignation of William White, as a Justice of the Peace for the county of Dobbs; which was read, accepted and sent to the House of Commons.

Received from the House of Commons the following message:

Mr. Speaker and Gentlemen:

The bill for dividing Dobbs county, together with the petition on that subject, we propose shall be referred to the committee to whom the bill and petitions for and against the division of Caswell county were committed; and have added thereto Mr. Leigh and Mr. Handy. We have also added Mr. Scull to the committee on the petition of Adam Lawrence and claims issued at Warrenton, &c.

The foregoing being read, Ordered, That the following message be sent to the House of Commons:

Mr. Speaker and Gentlemen:

We consent to the reference by you made of the bill for a division of Dobbs county.

Mr. Hill moved for leave and presented a bill for altering the time for holding the county court of pleas and quarter-sessions for

the county of Franklin; which was read, passed the first time, and sent to the House of Commons.

Mr. Hargett presented the petition of John Markland, of Dobbs county; which was read, referred to the committee appointed to devise a plan for correcting errors in patents, and sent to the House of Commons.

Received from the House of Commons the following message:

Mr. Speaker and Gentlemen:

We propose the letter from the Treasurer, and its inclosures, on the subject of final settlement certificates, be referred to the committee of finance.

Ordered, That the following message be sent to the House of Commons.

Mr. Speaker and Gentlemen:

The letter from the public Treasurer, and that from Robert Fenner, Esq., late Agent for the officers of the continental line of this State, we agree shall stand referred as by you proposed.

Received from the House of Commons the following messages:

Mr. Speaker and Gentlemen:

We agree that the bill to make Cross-creek navigable, together with the petition of Mark Russell, be committed as by you proposed, and have appointed for that purpose on our part, Mr. Porter, Mr. Gaither, Mr. Person, Mr. Smith, Mr. M'Laine and Mr. M'Dowall, junior.

Mr. Speaker and Gentlemen:

We agree that the report of the committee on the memorial of Francois X. Martin, be recommitted as by you proposed.

Mr. Speaker and Gentlemen:

We propose that the message herewith sent be delivered to his Excellency the Governor, should it meet your approbation. We have appointed Mr. Taylor and Mr. Smith to wait on and deliver the same to his Excellency.

The foregoing being read, together with the address alluded to; on motion of Mr. Macon, seconded by Mr. Hargett, Ordered, That the same lie on the table for consideration.

Received likewise the bill for cutting a navigable canal from the waters of Pasquotank river in this State to the waters of Elizabeth river in the state of Virginia, endorsed "Read the second time and passed."

Ordered, That this bill be read; which being read, was passed the second time in this house and returned.

Received likewise a resolution of the House of Commons in favour of John G. Scull; which was read, concurred with and returned.

Received likewise the report of the committee on the petition of Richard Cogdell, the report on the petition of William Lewis and Samuel Harrell, the report on the petition of Ezekiel Arrington, and the report on the petition of Philip Null and Christian Sebeau; severally endorsed "Concurred with."

Received also a report of the committee on the petition of John Richards and others, a report on the petition of William Croom, and a report on the petition of James Forsyth; each endorsed "Concurred with;" which were read, concurred with and returned.

Received likewise a petition of Jonathan Hampton, a memorial of Thomas Haslin, a petition of Joseph Arthur and a petition of John Bond; each endorsed "Referred to the committee of propositions and grievances;" which were read, referred in like manner by this house and returned.

Received likewise the memorial of David Dickson; endorsed "Referred to the committee of claims;" which was read, and on motion,

Ordered, That the following message be sent to the House of Commons:

Mr. Speaker and Gentlemen:

We do not agree to the reference by you made of the memorial of David Dickson, but propose that it shall be referred to the committee of propositions and grievances No. 1.

Received likewise the following bills:—A bill to vest the title of a piece or parcel of land, lying in Granville county, in James Forsyth and his heirs, in fee-simple. A bill to keep open Rockfish creek, in Cumberland county, from its mouth to the forks thereof. And a bill to establish the tobacco ware-house now building at Fayetteville by James Ritchie and John Winslow, and to empower the county court to appoint inspectors to the same. Each endorsed "Read the first time and passed."

Ordered, That these bills be read; which being read, each was passed the first time and returned.

Received likewise the following message:

Mr. Speaker and Gentlemen:

The bill to amend an act, passed at Hillsborough in 1784, entitled

"An act to encourage Enoch Sawyer to make a road through Pasquotank river swamp," we propose shall be referred to a joint committee, and on our parts have appointed Mr. Everagin, Mr. Ferebee and Mr. Grandy.

The foregoing being read, the proposition therein contained was rejected, and

Ordered, That the following message be sent to the House of Commons:

Mr. Speaker and Gentlemen:

We have received the message of your house proposing to refer the bill to encourage Enoch Sawyer to cut a road, &c., to a joint committee, with which we do not concur, being of opinion it will only be attended with a delay of business, the bill having already undergone two readings.

Received from the House of Commons a bill to amend an act establishing courts of law, and for regulating the proceedings therein; and another act, entitled, "An act for giving an equity jurisdiction to the superior courts;" endorsed "Read the first time and passed."

Ordered, That this bill be read; which being read, was passed the first time in this house and returned.

Mr. Berger moved for leave and presented a bill for granting to the inhabitants living between the north and south forks of the Yadkin river, the privilege of holding separate general musters; which was read, passed the first time and sent to the House of Commons.

The resignation of Michael Rogers, as a Justice of the Peace of Wake county was read and accepted.

Received from the House of Commons the bill to amend an act, entitled "An act to appoint Commissioners to superintend the building a prison and stocks for the district of Fayetteville, and to levy a tax in the counties within mentioned for defraying the expence thereof," passed at Fayetteville in the year 1788; and a bill for vesting the property of certain negroes in the heirs of Mark Newby; also the bill to amend an act for the better regulation of the town of Edenton; each endorsed "Read the first time and passed."

Ordered, That these bills be read; which being read, the first two were passed the second time in this house and returned, and the latter on motion rejected.

Mr. Hargett presented the petition of Winston Caswell, executor of the late Hon. Richard Caswell; which was read, referred to the

committee of propositions and grievances No. 1, and sent to the House of Commons.

Received from the House of Commons a bill to alter the mode of swearing petit juries in the courts of law in this State, endorsed "Read the second time and passed."

Ordered, That this bill be read; which being read, was passed the second time in this house and returned.

The resignation of Major Croom, as a Justice of the Peace for Dobbs county, was read and accepted.

On motion, Ordered, That Thomas Tyson, Esq., have leave to absent himself from the service of this house until Thursday next.

Mr. Joseph Winston, the member for the county of Stokes, and Mr. John Humphries, the member for the county of Currituck, appeared, presented the certificates of their elections, were qualified agreeably to law and took their seats.

The house adjourned till to-morrow morning, 10 o'clock.

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TUESDAY, November 16, 1790.

Met according to adjournment.

Received from the House of Commons the bill for regulating ordinaries, houses of entertainment and ferries, endorsed "Read the first time and passed." And the bill to carry into effect a resolution of Congress, passed the 29th of September, 1789, endorsed "Read the second time and passed."

Ordered, That these bills be read; which being read, the first was passed the second, and the latter the third time in this house and returned.

Received also the report of the committee to whom was committed the proposals of Francois X. Martin, endorsed "Concurred with;" which being read, was also concurred with by this house and returned.

Mr. Riddick delivered in the following report, viz.:

The committee to whom was referred the petition of sundry inhabitants of Hyde county, report—That it appears to your committee the court-house, prison, &c., have been consumed by fire, and that the place whereon they were built is not the most central and convenient to the majority of the inhabitants of said county.—Your committee are of opinion that many inconveniences would be remedied by granting privilege to erect the public buildings on Bell's Bay or Jasper's

creek, and recommend that a bill be brought in to carry this report into effect, which will comply with the prayer of a majority of the said petitioners. Which is submitted. JOSEPH RIDDICK, Ch.

The house taking this report into consideration, concurred therewith: Whereupon, Mr. Riddick moved for leave and presented a bill to alter the place of holding the court of Hyde county, from Woodstock to Bell's bay or Jasper's creek in said county, and to erect a new court house, prison and stocks; which was read, passed the first time, and sent to the House of Commons.

Received from the House of Commons the bill to repeal all acts, clauses and parts of acts of the General Assembly of this State, as relate to classing of tobacco, endorsed "Read the second time and passed."

Ordered, That this bill be read; which being read, was passed the second time in this house and returned.

Received also the report of the committee on the petition of Thomas Boyd, and the report on the petition of Ptolemy Powell, each endorsed "Concurred with;" Also the petition of Winston Caswell, and the petition of John Markland, endorsed "Read and referred as by the Senate."

Received likewise a memorial of James Tindal, and a petition of Richard Blackledge, the first referred to the committee of finance, and the latter to the committee of propositions and grievances; which were read, referred in like manner by this house and returned.

Received likewise a petition of John Willis and others, endorsed "Referred to Mr. Taylor, Mr. Stone, Mr. Smith, Mr. Polk and Mr. Witherspoon;" which was read and referred on the part of the Senate to Mr. Pugh, Mr. Macon and Mr. Hill.

Received likewise a bill to establish public landings in the county of Carteret; and a bill for making conformable to the plan the second course of a tract of land lying in Jones county, formerly Craven, granted by patent to John Richards, bearing date the 24th day of November, 1738, containing three hundred acres, lying on both sides of Trent river; each endorsed "Read the first time and passed."

Ordered, That these bills be read; which being read, were passed the first time in this house and returned.

Received also the following message:

Mr. Speaker and Gentlemen:

The bill to confirm unto Greenbury Sutton an indefeasible title

to certain lands therein mentioned, in Perquimans county, we propose shall be committed to the committee appointed to take into consideration the petition of John Willis and others.

The foregoing being read, Ordered, That the following message be sent to the House of Commons:

Mr. Speaker and Gentlemen:

We consent to the reference by you made of the bill to confirm unto Greenbury Sutton certain lands, &c.

Received from the House of Commons the following bills, viz: A bill to carry into effect the ordinance of the Convention held at Hillsborough, in July, 1788, entitled "An ordinance for establishing a place for holding the future meetings of the General Assembly, and the place of residence of the chief officers of the State." A bill to compel the Clerks of the county courts of pleas and quarter-essions within this State, to keep their offices at or near the court-houses of their respective counties. And a bill to continue in force an act, passed at Fayetteville, 1788, entitled "An act for giving longer time for the registering, proving and recording grants, deeds of mesne conveyances, and other instruments of writing." Severally endorsed "Read the first time and passed."

Ordered, That these bills be read; which being read, were severally passed the first time in this house and returned.

Received also a bill to erect the western parts of Burke and Rutherford counties into a separate and distinct county, endorsed "Read the first time and passed."

Ordered, That this bill be read; which being read,

Ordered, That the following message be sent to the House of Commons:

Mr. Speaker and Gentlemen:

We propose that the bill to erect the western parts of Burke and Rutherford counties into a distinct county, be referred to the committee appointed on the petitions for and against the division of Caswell, and that they report specially thereon.

Received from the House of Commons the following message:

Mr. Speaker and Gentlemen:

We agree to refer the memorial of David Dickson to the committee of propositions and grievances.

Received from the House of Commons the bill to alter and amend

the acts for regulating the pilotage and facilitating the navigation of Cape Fear river; which being read,

Ordered, That the following message be sent to the House of Commons:

Mr. Speaker and Gentlemen:

The bill to alter and amend the acts for regulating the pilotage of Cape-Fear river, we propose shall be reported on by a joint Committee, and have appointed Mr. Wynn, Mr. Bell and Mr. Armstrong.

Received from the House of Commons the bill to amend an act passed at Hillsborough, in 1784, entitled "An act to encourage Enoch Sawyer to make a road through Pasquotank river swamp, opposite his plantation." And the bill to prevent any person who now does, or who may hereafter, hold any office, appointment or authority under the federal government from being eligible to a seat in the General Assembly of this State, and to prevent any person from holding or exercising any office or appointment under the authority of the said State, so long as they continue to hold or exercise any office or appointment under the authority of the United States. Each endorsed "Read the second time and passed."

Ordered, That these bills be read; which being read, the first was passed the second, and the latter the third time in this house and returned.

Received also a petition of Joseph Dickson, and a memorial of Francis Child; each endorsed "Referred to the committee of propositions and grievances No. 2;" which were read, referred in like manner by this house and returned.

Mr. Macon presented the petition of Edwin Harris; which was read, referred to the committee of propositions and grievances No. 1, and sent to the House of Commons.

On motion of Mr. Hargett, seconded by Mr. Macon,

Ordered, That the following message be sent to the House of Commons:

Mr. Speaker and Gentlemen:

We propose that the General Assembly ballot to-morrow, at 4 o'clock in the afternoon, for a Governor of this State the ensuing year, public Treasurer, place at which the next Assembly shall be held, and public Printers. We nominate for Governor, Alexander Martin, Esq., for public Treasurer, John Haywood, Esq., for the place at which the next Assembly shall be held, the towns of Pittsborough,

Fayetteville, Tarborough, New Bern and Hillsborough; and for public Printers Mess. Hodge and Wills, and Mess. Sibley and Howard.

Mr. Armstrong presented the petition of John Herritage, of Dobbs county; which was read, referred to the committee of propositions and grievances and sent to the House of Commons.

The house adjourned until to-morrow morning, 10 o'clock.

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WEDNESDAY, November 17, 1790.

Met according to adjournment.

On motion of Mr. Macon, Ordered, That the following message be sent to the House of Commons:

Mr. Speaker and Gentlemen:

We have added Mr. Skinner to the committee appointed on the petition of John Willis and others.

Received from the House of Commons the following message:

Mr. Speaker and Gentlemen:

We agree that the General Assembly ballot at 4 o'clock to-morrow evening, for a Governor the ensuing year, public Treasurer, place at which the next Assembly shall be held, and public Printer, and approve of your nomination.

Received also the bill to direct the mode of proceeding in suits brought by persons detained in slavery for the recovery of their freedom, endorsed "Read the second time and passed."

Ordered, That this bill be read; which being read, on motion of Mr. Macon, seconded by Mr. Hargett,

Ordered, That the following message be sent to the House of Commons:

Mr. Speaker and Gentlemen:

The bill to direct the mode of proceeding in suits brought by persons detained in slavery, we propose shall be submitted for amendment to a joint committee, and have appointed on our parts Mr. Qualls, Mr. Graham, Mr. Hargett and Mr. Wynns.

Received from the House of Commons the bill for altering the time of the annual meetings of the General Assembly of this State, endorsed "Read the second time and passed." And the bill to repeal part of the second and fifth sections of an act of the General Assembly,

passed at New Bern, in the year 1784, entitled, "An act for raising a public revenue for the support of government, and to repeal an act to suppress excessive gaming," and also one other passed at Fayetteville, in November, in the year 1786, entitled, "An act to impose a duty on all slaves brought into this State by land or water;" endorsed "Read the third time and passed."

Ordered, That these bills be read; which being read, were passed the third time and the latter ordered to be engrossed.

Received also a bill to repeal the fifth and sixth sections of an act passed at Hillsborough, 1784, entitled, "An act to amend an act, entitled, An act for the regulation of the town of Wilmington;" and a bill to amend an act, passed at Fayetteville, 1788, entitled, "An act to authorise and enable John Colson to return to this State and exercise the privileges therein mentioned;" endorsed "Read the first time and passed."

Ordered, That these bills be read; which being read, each was passed the first time and returned.

Mr. M'Allister presented the petition of Duncan Coulbreath; which was read, and ordered to be sent to the House of Commons.

On motion, Ordered, That the following message be sent to the House of Commons:

Mr. Speaker and Gentlemen:

We propose that four members for each house be appointed to examine the engrossed bills of the present session; and have appointed Mr. Graham, Mr. Benford, Mr. Skinner and Mr. Bethell on our parts. We have also appointed Mr. Macon and Mr. M'Dowall to superintend the balloting this evening.

Received from the House of Commons the following bills, viz.: A bill directing the mode of proceeding in scrutinized elections. A bill to increase the benefit of the county courts of pleas and quarter-sessions to the citizens of this State. A bill to alter the times of holding the courts of pleas and quarter-sessions for Iredell county. And a bill to amend and repeal the several acts and parts of acts therein mentioned respecting slaves. Each endorsed "Read the first time and passed."

Ordered, That these bills be read; which being read, were severally passed the first time and returned.

Received from the House of Commons the following messages:

Mr. Speaker and Gentlemen:

We agree that the bill to erect the western parts of Burke and Ruth-

erford counties into a distinct county, be referred as by you proposed.

Mr. Speaker and Gentlemen:

We agree to refer the bill to alter and amend the acts for regulating the pilotage of Cape-Fear river, to a joint committee as by you proposed; and have appointed on our part, Mr. Jones, Mr. Dudley, Mr. Macon, Mr. Person and Mr. Scull.

Mr. Graham moved for leave and presented a bill empowering the superior courts of law and equity, and the Secretary of State, to correct certain patents or grants therein described, when there have been errors by the Surveyor in making the returns, or by the Secretary in issuing the same; and empowering the county courts and Registers to correct errors in like manner; which was read, passed the first time, and sent to the House of Commons.

Received from the House of Commons the bill to repeal an act, entitled, "An act providing means for the payment of the domestic debt for appropriating certain monies therein mentioned, and to amend an act passed the last session of the General Assembly, entitled An act for levying a tax for the support of government, and for the redemption of the old paper currency, continental money, specie and other certificates, and also part of another act, entitled, An act for opening the land office for the redemption of specie and other certificates, and discharging the arrears due to the army;" endorsed "Read the first time and passed."

Ordered, That this bill be read; which being read, was passed the second time in this house and returned.

Received from the House of Commons the following message:

Mr. Speaker and Gentlemen:

We agree to your proposition that four members from each house be appointed to examine the engrossed bills of the present session, and have on our part appointed Mr. Stone, Mr. Macon, Mr. Polk and Mr. Sanders. We have also appointed Mr. Sanders and Mr. Grove to superintend the balloting this evening, and propose that the superintendants be directed to wait on and receive the ballots of the sick absent members.

The House adjourned till 4 o'clock P. M.

Met according to adjournment.

Ordered, That the following message be sent to the House of Commons.

Mr. Speaker and Gentlemen:

We agree that the superintendants be requested to wait on the sick absent members in order to receive their votes, and are now ready to proceed on the balloting.

Mr. Hargett moved for leave and presented a bill to annex part of Onslow county to the county of Jones; which was read, passed the first time and sent to the House of Commons.

Received from the House of Commons the following message:
Mr. Speaker and Gentlemen:

We have appointed Mr. Taylor to superintend the balloting this evening in the room of Mr. Grove.

The resignation of Peter Qualls, Esq., as a Justice of the Peace for the county of Halifax, was read, accepted and sent to the House of Commons.

The house adjourned until to-morrow morning, 10 o'clock.

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THURSDAY, November 18, 1790.

Met according to adjournment.

The resignation of John Everitt, a Justice of the Peace for Martin county, was read and accepted.

Mr. Courtney delivered in the following reports:

The committee to whom the petition of Joseph Cunningham was referred, report—That the said Joseph Cunningham at a sale of confiscated property in Salisbury district in the year 1781, purchased a tract of land containing 400 acres, for the sum of four hundred pounds, and gave his bond with security for the payment thereof: That the said land is claimed and in possession of a certain Nicholas Michael, heir at law to his father Frederick Michael, dec., who purchased the same of Henry E. McCulloch, paid a part of the consideration money, gave a bond for the balance, and took a bond from the said M'Culloch for the conveyance of the said land in fee simple: That the Treasurer has since instituted a suit in Hillsborough superior court against the said Cunningham, on the above mentioned bond which he gave for the payment of the said land. Your committee are therefore of opinion, that the Treasurer be directed to stay the prosecution of the said suit against the said Cunningham until the next session of Assembly, previous to which the said Michael is required to make his title appear, in the mode recommended for the petitioners from Orange and Mecklenburg counties. Which is submitted.

W. COURTNEY, Ch.

The committee to whom were referred the petitions of sundry inhabitants of Orange and Mecklenburg counties, report—That about the beginning of the late war the said petitioners purchased sundry tracts of land from Henry E. M'Culloch and gave their bonds for payment, that before the bonds became due the said Henry E. M'Culloch left this and the United States, which prevented the said petitioners from paying up their respective dues and obtaining titles for the said lands. Your committee are therefore of opinion that the petitioners shall lay before their respective county courts the bonds from said M'Culloch, or his agents, for making titles; also shall procure for the said county courts the best information with respect to the balances due, by producing their receipts or otherwise; and that the said courts be authorised and required to summon the agents of the said Henry E. M'Culloch before them, to declare what sums the different persons petitioning may be indebted, and the nature of the said contracts in general; and that the said county courts shall report to the next General Assembly the amount of such arrears, so that they may make such farther order thereon as to them shall seem most conducive to redress the grievance of the petitioners. Which is submitted. W. COURTNEY, Ch.

The house taking this report into consideration, concurred therewith.

Mr. Macon and Mr. M'Dowall, appointed on the part of this house to superintend and conduct the balloting for a Governor for this State the ensuing year, public Treasurer, place at which the next Assembly shall be held, &c., delivered in the following report:

That having executed the business of their appointment, they find on casting up the poll, that Alexander Martin, Esq., is elected Governor of this State for the ensuing year by a majority of votes: That John Haywood, Esq., is made choice of as public Treasurer; Mess. Hodge and Wills, Printers to the State; and that no place had a majority for the sitting of the next Assembly.

The house taking this report into consideration, concurred therewith: Whereupon, on motion of Mr. Hargett, seconded by Mr. Macon,

Ordered, That the following message be sent to the House of Commons.

Mr. Speaker and Gentlemen:

It appearing from the balloting of yesterday that no place had a majority for the sitting of the next Assembly, we propose that the

two houses proceed to make that choice by ballot to-morrow evening, at 4 o'clock, and nominate the towns of Fayetteville, Tarborough, New Bern and Hillsborough. We also propose that a Council of State be balloted for at the same time, and nominate Gen. Rutherford, Mr. Gowdy, Mr. Phifer, Mr. James Gillespie, Mr. John Williams, Mr. Bruce, Mr. Charles M'Dowall, Mr. Phil. Hawkins, jun. (Anderson's Swamp); Mr. Thomas Overton, Mr. William Johnston, Mr. Faulcon and Mr. Thomas Eaton. In making this nomination, the Senate have been governed by a belief that there is an impropriety in electing members of Assembly to the office of Councillors of State.

Received from the House of Commons the following message:

Mr. Speaker and Gentlemen:

We propose that a joint committee be appointed to take under consideration the extra services of the public printers of this State, and such further regulations respecting their duty in office as they may think necessary; and have on our part appointed, Mr. Porter, Mr. Taylor, Mr. Person, Mr. Polk and Mr. Jones.

Ordered, That the following message be sent to the House of Commons:

Mr. Speaker and Gentlemen:

We agree with you in the appointment of a committee to point out the extra duty of the public printers, and have appointed on the part of the Senate, Mr. Dickson, Mr. Benford and Mr. Armstrong. We propose that the bill and petition herewith sent, relative to public buildings in the county of Montgomery, be referred to the committee on the bill for dividing Caswell county.

Received from the House of Commons a petition of Wm. Brown, a memorial of Catharine Young, and a petition of George M'Kenzie; each endorsed "Referred to the committee of propositions and grievances No. 2; which were read, the two first referred as by the House of Commons, and the latter on motion rejected.

Received also a petition of Alexander M'Intosh, a petition of James Conners, a petition of John Dawberty, and a petition of Thomas Turner; each endorsed "Referred to the committee appointed to correct errors in patents;" which being read, the first was on motion rejected, and the others referred in like manner and returned.

Mr. Lane presented the petition of Francois X. Martin; which was read, referred to the committee of claims and sent to the House of Commons.

Received from the House of Commons the report of the committee on the petition of Joshua Skinner, a report on the petition of Mark Bird, and a report on the petition of Thomas Neale and John Hall; each endorsed "Concurred with;" which being read, the two first were concurred with by this house, and the latter returned to the House of Commons with the following message:

Mr. Speaker and Gentlemen:

The report of the committee on the petition of John Hall and Thomas Neale, we agree shall be committed to the same committee.

Received from the House of Commons a memorial of Ezekiel Wallace, and a petition of Britain Fuller; which were read, and on motion rejected.

Received also the following message:

Mr. Speaker and Gentlemen:

We agree to your proposition for the commitment of the bill directing the mode of proceeding in suits brought by persons detained in slavery for the recovery of their freedom, to a joint committee, and have appointed Mr. Macon, Mr. Guion, Mr. Polk, Mr. Witherspoon, Mr. Nash, Mr. Hay and Mr. Leigh.

Mr. Groves presented the petition of Alderson Ellison; which was read, referred to the committee of propositions and grievances No. 1, and sent to the House of Commons.

The resignation of John Simmons, as a Justice of the Peace for the county of Currituck, was read and accepted.

The bill to alter the mode of swearing petit juries in the courts of law in this State, was amended by consent of the House of Commons, passed the third and last time, and ordered to be engrossed.

Received from the House of Commons the following message:

Mr. Speaker and Gentlemen:

We agree to ballot to-morrow evening at 4 o'clock, as by you proposed for the place for the sitting of the next General Assembly, and a Council of State, and approve of the nominations by you made. We have nominated as Councillors, Mr. Thomas Brown, Gen. Harrington, Mr. James Williamson, Mr. Charles Gallaway, Mr. George Lucas and Mr. Benjamin Williamson. Also we propose to ballot at the same time for a Colonel of cavalry for Hillsborough district, and nominate Mr. Samuel Benton, Mr. John Taylor and Mr. Francis Child.

The foregoing being read, Ordered, That the following message be sent to the House of Commons:

Mr. Speaker and Gentlemen:

We agree to ballot for a Colonel of horse for the district of Hillsborough, and propose that a Colonel of cavalry for the district of Salisbury, and second Major of horse for the district of Edenton, be balloted for at the same time. We nominate for Colonel of horse for the district of Salisbury, William Polk and William T. Lewis, Esquires, and for second Major of cavalry for Edenton district, Thomas Harvey and Patrick Garvey. We further propose that the candidates for the different military appointments having the greatest number of votes, be declared elected.

Received from the House of Commons a resolution requesting his Excellency the Governor to issue his proclamation, offering a reward for apprehending certain horse thieves; which was read, concurred with and returned.

Received from the House of Commons the bill to prevent any person who now does, or who may hereafter, hold any office, appointment or authority under the federal government, from being eligible to a seat in the General Assembly of this State, and to prevent any person from holding or exercising any office or appointment under the authority of the said State, so long as they continue to hold or exercise any office or appointment under the authority of the United States; endorsed "Read the third time, amended and passed."

Ordered, That this bill be read; which being read, it was moved by Mr. Hargett, that the following clause be erased from the bill, to-wit:

And be it further enacted by the authority aforesaid, That the Senators from this State to the United States, and the Representatives of this State to the United States, shall be considered as coming within the meaning and purview of this law, and shall be excluded from all state offices as aforesaid.

This being objected to, and the question called and taken thereon, was carried in the negative: Whereupon, the yeas and nays being required by Mr. Hargett, seconded by Mr. Riddick, are as follows, to-wit:

For erasing the clause—Mess. Bright, Hargett, Wynns, Kenan, Dauge, Philips, Riddick, Skinner, Webb, Bell, Armstrong.—11.

Against striking this clause out of the bill—Mess. Bryan, Gillespie, M'Dowall, M'Allister, Qualls, Nesbit, Hill, Snead, Keaton, Berger,

Macon, Payne, Griffin, Bethell, Graham, Dixon, Benford, Pugh, Winston, Humphries, Clinton.—21.

So the bill remained unamended, was passed the third and last time, and ordered to be engrossed.

On motion of Mr. Hargett, Ordered, That the bill for cutting a navigable canal from the waters of Pasquotank river in this State, to the waters of Elizabeth river in the State of Virginia, lie on the table till to-morrow morning, and that it then be taken up and read as the third and last time in this house.

The house adjourned until to-morrow morning, 10 o'clock.

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FRIDAY, November 19, 1790.

Met according to adjournment.

Agreeable to the order of the day, the bill for cutting a navigable canal from the waters of Pasquotank river in this State, to the waters of Elizabeth river in the State of Virginia, was read, passed the third and last time and ordered to be engrossed.

The yeas and nays on the passage of this bill being required by Mr. Clinton, seconded by Mr. Bethell, are as follows, viz.:

For the passage of this bill—Mess. Lanier, M'Dowall, Qualls, Wynn, Hill, Dauge, Riddick, Arnold, Skinner, Keaton, Berger, Macon, Payne, Griffin, Bethel, Graham, Dixon, Lane, Courtney, Benford, Singleton, Edwards, Mooring, Stewart, Pugh, Winston, Humphries—27.

Against the passage of this bill—Mess. Owen, Hargett, Bryan, M'Allister, Nesbit, Kenan, Philips, Groves, Snead, Barnes, Tyson, Clinton, Bell, Armstrong—14.

Received from the House of Commons the following message:

Mr. Speaker and Gentlemen:

We agree to ballot for a colonel of cavalry for the district of Salisbury, and a second Major of horse for the district of Edenton, as you propose, and approve of the nomination by you made. We further agree that the candidates for the different military appointments having the greatest number of votes be returned elected.

Mr. Singleton presented the petition of William Morgan, and the petition of John Hopkins: which being read, the first was ordered to be sent to the House of Commons, and the latter referred to the committee of propositions and grievances.

Received from the House of Commons a petition from sundry of the inhabitants of Onslow county, endorsed "Referred to Mr. Dudley, Mr. Spicer, Mr. Borden, Mr. Groves and Mr. Jones;" which was read and referred on the part of the Senate to Mr. Bell, Mr. Hargett, Mr. Campbell and Mr. Bryan.

Received also a petition of John Arnold, and a petition of Joseph Blount, the first endorsed "Referred to the committee of claims," and the latter "to the committee of propositions and grievances No. 2;" which were read, referred in like manner by this house and returned.

Mr. Lane presented the memorial of Simon Turner and others; which was read, referred to the committee appointed on the petition of John Willis, and sent to the House of Commons.

The resignation of Simeon Spruill, as second Major of the regiment in the county of Tyrrel, and the resignation of Solomon Porch, as a Justice of the Peace for the county of Cumberland, were read, accepted and sent to the House of Commons.

Received from the House of Commons a report of the committee on the bill for making Cross-creek navigable, endorsed "Concurred with;" which was read, concurred with by this house and returned.

The bill for building a court-house in the town of Hillsborough, for the district of Hillsborough, was read, passed the third and last time and ordered to be engrossed.

A reconsideration of the memorial of Ezekiel Wallace being moved by Mr. Graham and carried, was now referred to the committee appointed on the petition from Orange, and returned to the House of Commons.

Received from the House of Commons a bill to amend an act, entitled, "An act declaring what fences are sufficient, and to provide a remedy for abuses," endorsed "Read the first time and passed."

Ordered, That this bill be read; which being read, was on motion rejected.

Received also a petition of Benjamin Jones, endorsed "Referred to Mr. Everagin, Mr. Lewis, Mr. Sutherland, Mr. Bonds and Mr. Irwin;" which being read in this house, was rejected.

Received likewise a petition of Lewis Beard and others, endorsed "Referred to the committee of propositions and grievances, No. 11," and a petition of Owen Carpenter, endorsed, "Referred to the committee of claims;" which being read, the first was referred as by the House of Commons and returned, and the latter on motion rejected.

Received from the House of Commons the following message:

Mr. Speaker and Gentlemen:

The message of this day's date from his Excellency the Governor, and the papers therein referred to, we propose shall be committed to a joint committee of both houses, and have on our part appointed Mr. Smith, Mr. Jones and Mr. Hay.

The message alluded to being read, Ordered, That the following message be sent to the House of Commons:

Mr. Speaker and Gentlemen:

We agree that the message from His Excellency the Governor, together with the papers therein referred to, shall be reported on by a joint committee, and have appointed Mr. Armstrong and Mr. Wynns to act with the gentlemen by you named.

Mr. Winston moved for leave and presented a bill to establish a town at the place fixed upon for the court-house in the county of Stokes; which was read, passed the first time and sent to the House of Commons.

The bill to amend an act, passed at Fayetteville, in November, 1786, entitled "An act to amend an act passed at New Bern, in the year 1785, entitled An act for increasing the jurisdiction of the county courts of pleas and quarter-sessions, and of the Justices of the Peace out of court, and directing the times of holding courts in this State," was read the second time in this house, amended, passed and sent to the House of Commons.

On motion of Mr. Graham, Ordered, That the following message be sent to the House of Commons:

Mr. Speaker and Gentlemen:

We have appointed Gen. Kenan and Col. Hargett, who together with such gentlemen as you may make choice of, will wait on the Hon. Alexander Martin, Esq., and acquaint him of his late appointment of Governor of this State, and request to know when it will be convenient for him to qualify and enter on the duties of his office.

Received from the House of Commons the bill to vest the title of a piece or parcel of land, lying in Granville county, in James Forsyth and his heirs, in fee-simple; and a bill to establish the tobacco warehouse now building at Fayetteville by James Ritchie and John Winslow, and to empower the county court to appoint inspectors to the same; each endorsed "Read the second time and passed."

Ordered, That these bills be read; which being read, each was passed the second time and returned.

Received likewise the following message:

Mr. Speaker and Gentlemen:

The bill to amend an act for establishing courts of law, and for regulating the proceedings therein; and another act, entitled, "An act for giving equity jurisdiction to the superior courts;" together with the heads of the bill concerning the administration of justice, therewith accompanying, we propose shall be committed to a joint committee of both houses, to consist of a member from each district; and have on our part appointed Mr. Polk, Mr. M'Dowall, Mr. Person, Mr. Macon, Mr. Hamilton, Mr. Witherspoon, Mr. Smith and Mr. Hay.

The foregoing being read, Ordered, That the following message be sent to the House of Commons:

Mr. Speaker and Gentlemen:

We agree to the commitment of the several bills relative to amending the court system, and have appointed Mr. M'Dowall, Mr. Graham, Mr. Lane, Mr. Hill, Mr. Wynns, Mr. Hargett, Mr. Owen and Mr. Barnes, to act with the gentlemen by you appointed.

The house adjourned till 4 o'clock, P. M.

Met according to adjournment.

Received from the House of Commons the following message:

Mr. Speaker and Gentlemen:

The name of Col. Polk, at his particular request, is withdrawn from the nomination of Colonel of cavalry for the district of Salisbury; and we further add to the nomination for that appointment Colonel Robert Smith. We have appointed Mr. Hill and Mr. Mebane to superintend the balloting this evening.

Ordered, That the following message be sent to the House of Commons:

Mr. Speaker and Gentlemen:

We are now ready to proceed on the balloting, and have appointed Mr. Hill and Mr. Clinton to conduct the same on the part of this house.

We have added William Lytle and Trangott Bagge to the nomination for Councillors.

Received from the House of Commons the following message:

Mr. Speaker and Gentlemen:

We have appointed Mr. Jones to superintend the balloting this evening in the room of Mr. Mebane.

On motion of Mr. Hargett, Ordered, That the bill for making Cross-creek navigable lie until to-morrow morning, and that it be then taken up and read as the second time in this house.

The house adjourned until to-morrow morning, 10 o'clock.

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SATURDAY, November 20, 1790.

Met according to adjournment.

On motion of Mr. Lane, Ordered, That Mr. Clinton and Mr. Kenan be added to the committee appointed on the petition of John Willis, and that the following message be sent to the House of Commons:

Mr. Speaker and Gentlemen:

We have added Gen. Clinton and Gen. Kenan to the committee appointed on the petition of J. Willis.

Received from the House of Commons a petition of Thomas Mackey, a petition of James Jones, a petition of Edmund Blount, and a petition and memorial of William M'Clure, each endorsed "Referred to the committee of claims;" which being read, the first was on motion rejected, and the three latter referred as by the House of Commons and returned.

Received also a petition of Wilson Taylor, and a petition of Mary Cheshire, the first referred to the committee of propositions and grievances, and the latter to the committee appointed on the petition of Benjamin Jones; which were read, the first on motion rejected, and the last referred by this house to the committee of propositions and grievances and returned.

Received likewise the memorial of Simon Turner, the petition of Francois X. Martin, and the petition of the wardens of the poor in the county of Chowan, each endorsed "Read and referred as by the Senate."

Received likewise a bill to increase the benefit of the county courts of pleas and quarter sessions to the citizens of this State; and a bill to make Cross-creek navigable; each "Read the second time and passed." Also a bill to prevent people hunting on Bogue banks, and to prevent their cutting, destroying or carrying off any of the natural productions from off the same, endorsed "Read the first time and passed."

Ordered, That these bill be read; which being read, the two first

were passed the second time in this house and returned, and the latter on motion rejected.

Mr. Humphries moved for leave and presented a bill to amend an act, entitled "An act for the promotion of learning in the county of Currituck, and to amend the Wilmington academy law;" which was read, passed the first time and sent to the House of Commons.

Received from the House of Commons a resolution directing the Secretary relative to a claim of Charles Gerrard; which was read, concurred with and returned.

Mr. M'Dowall moved for leave and presented a bill for equalizing the land tax; which was read, passed the first time and sent to the House of Commons.

Mr. Hargett delivered in the following report:

The committee to whom was referred the petition of the inhabitants of New river in Onslow county, report—That a large number of the inhabitants of New river have petitioned this General Assembly, setting forth that a few persons have constructed seins that stop fish at or near the inlet, at a narrow pass, so as to prevent the fish from getting into the river, by which means they are deprived of those natural advantages they before enjoyed to the very great injury of the petitioners and others, the inhabitants of New river; they therefore pray that an act of Assembly may be passed preventing any person or persons setting or drawing any sein or net below a place known by the name of Hatch's point; and that no sein or net of more than twenty marshes deep and forty fathoms long be set or drawn at any place below Old-Town Point, by that means the advantages of fishing will be equal and free to all persons, and will answer the former advantages and expectations of the inhabitants.—Your committee having enquired into and considered the nature of the complaint set forth in the said petition, are of opinion that the grievance therein set forth is a real one, and that the request contained in said petition of having an act passed to the before mentioned effect, is just and reasonable. We therefore recommend that the prayer of the said petition be granted. Which is submitted.

FRED. HARGETT, Ch.

The house taking this report into consideration, concurred therewith: Whereupon Mr. Hargett moved for leave and presented a bill to prevent the obstruction of fish running up New river in Onslow

county; which was read, passed the first time and sent to the House of Commons.

Received from the House of Commons the bill to repeal an act, entitled, "An act providing means for the payment of the domestic debt, for appropriating certain monies therein mentioned, and to amend an act passed the last session of the General Assembly, entitled, An act for levying a tax for the support of government, and for the redemption of the old paper currency, continental money, specie and other certificates, also part of another act, entitled, An act for opening the land office for the redemption of specie and other certificates, and discharging the arrears due to the army," endorsed "Read the second time and passed;" and the bill to repeal all acts, clauses and parts of acts of the General Assembly of this State, as relate to the classing of tobacco, endorsed "Read the third time and passed."

Ordered, That these bills be read; which being read, were passed the third time and the latter ordered to be engrossed.

Mr. Hill and Mr. Clinton, appointed on the part of the Senate to superintend and conduct the balloting for a Council of State, and place at which the next Assembly shall be held, delivered in the following report:

That having executed the business of their appointment, they find on casting up the scrolls, that Charles Bruce and Philemon Hawkins are elected Councillors—that none of the other gentlemen in nomination for that appointment had a majority—that no place is made choice of for the sitting of the next Assembly—and that Robert Smith is appointed Col. of horse for the district of Salisbury, and Samuel Benton, Col. of cavalry for Hillsborough district.

Resolved, That the house do concur with this report.

Received from the House of Commons the bill to amend and repeal the several acts and parts of acts therein mentioned respecting slaves, which being read, it was on motion,

Ordered, That the following message be sent to the House of Commons:

Mr. Speaker and Gentlemen:

We propose that the bill to repeal the several acts of Assembly respecting slaves, be committed to a joint committee for amendment; to which end we have appointed Mr. M'Dowall, Mr. Hargett, Mr. Courtney and Mr. Qualls.

Received from the House of Commons the following message:

Mr. Speaker and Gentlemen:

We propose that the General Assembly ballot at 4 o'clock this evening for the place at which the next Assembly shall meet, and Councillors yet to be elected.

A concurrence to this proposition being objected to by Mr. Hargett, and a division of the house had, there appeared an equal number of votes for and against concurring. A motion was then made by Mr. Hargett, seconded by Mr. Macon, that the house do again reconsider the message of the House of Commons; which being carried, the propositions therein contained was rejected.

The house adjourned till Monday morning, 10 o'clock.

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Monday, November 22, 1790.

Met according to adjournment.

On motion of Mr. Macon, Ordered, That the following message be sent to the House of Commons:

Mr. Speaker and Gentlemen:

It is the sense of this house that the General Assembly ballot on Saturday next, at 4 o'clock in the afternoon, for the Councillors of State yet to be made choice of, and the place at which the next Assembly shall be held, and continue the nominations first made. The proposition of your house for balloting on Tuesday next, we have received and rejected.

Mr. Arnold moved for leave and presented a bill for altering the place for holding the courts in the county of Randolph, and for erecting public buildings thereon; which was read, passed the first time and sent to the House of Commons.

Received from the House of Commons the following message:

Mr. Speaker and Gentlemen:

We agree to commit the bill to repeal the several acts of Assembly respecting slaves, as by you proposed, and have on our part appointed Mr. Smith, Mr. Jones, Mr. M'Laine, Mr. Sutherland, Mr. Lock, Mr. Stone, Mr. Hamilton, Mr. Hay, Mr. Bonds.

Received also the report of the committee of finance on the petition of Richard Blackledge, endorsed "Concurred with;" which was read, concurred with by this house and returned.

Received likewise a report of the committee on the petition of Samuel Williams, a report on the petition of William Steele, a report

on the petition of Francis Child, and a report on the petition of Edmund Randall, each endorsed "Concurred with;" which being read, were severally concurred with and returned.

Received likewise the report of the committee on the petition from the inhabitants of Orange, and the report of the committee on the petition of Joseph Cunningham, each endorsed "Concurred with."

Received likewise a petition of Benjamin Cleveland, endorsed "Referred to Mr. Guion, Mr. Houser, Mr. Lock, Mr. Sawyer and Mr. Franklin;" which was read and referred to Mr. Singleton, Mr. Winston and Mr. Dauge.

Received likewise a bill directing the time and places of holding the annual elections in the county of Hyde, and a bill to annex part of Burke and Wilkes counties to Iredell county, each endorsed "Read the first time and passed."

Ordered, That these bills be read; which being read, the first was passed the first time in this house and returned, and the latter on motion rejected.

Mr. Campbell moved for leave and presented a bill to permit George Merrick to emancipate certain slaves therein mentioned; which was read, passed the first time and sent to the House of Commons.

Received from the House of Commons the following bills:—The bill to establish a town at the place fixed upon for the court house in the county of Stokes. The bill to amend an act, entitled, "An act for the promotion of learning in the county of Currituck, and to amend the Wilmington academy law." The bill empowering the county courts of pleas and quarter-essions to direct the Secretary of State to correct certain patents or grants therein described, when there have been errors by the Surveyor in making the returns, or by the Secretary in issuing the same. And the bill for making conformable to the plan the second course of a tract of land, lying in Jones county, formerly Craven, granted by patent to John Richards, bearing date the 24th day of November, 1738, containing three hundred acres, lying on both sides of Trent river. Each endorsed "Read the first time and passed."

Ordered, That these bills be read; which being read, were severally passed the second time in this house and returned.

Mr. Edwards moved for leave and presented a bill to establish a town at the place fixed upon for the court-house in the county of

Surry; which was read, passed the first time and sent to the House of Commons.

Received from the House of Commons the bill to continue in force an act passed at Fayetteville, 1788, entitled, "An act for giving longer time for the registering, proving and recording grants, deeds, mesne conveyances and other instruments of writing, endorsed "Read the second time and passed;" and a bill directing the Clerk of the county court of Anson to keep his office at the court-house of said county, in the town of Wadesborough, endorsed "Read the first time and passed."

Ordered, That these bills be read; which being read, the first was passed the second, and the latter the first time in this house and returned.

Received also the following bills:—The bill to keep open Rockfish-creek, in Cumberland county, from the mouth to the forks thereof. The bill to establish public landings in the county of Carteret. And the bill to amend an act, passed at Fayetteville, 1788, entitled, "An act to authorise and enable John Colson to return to this State, and exercise the privileges therein mentioned." Endorsed "Read the second time and passed."

Ordered, That these bills be read; which being read, were severally amended, passed the second time in this house and returned.

Received likewise the following bills:—The bill to prevent the obstruction of fish running up New river, in Onslow county. The bill for granting to the inhabitants living between the north and south forks of the Yadkin river, the privilege of holding separate general musters. And the bill for altering the time for holding the county court of pleas and quarter-sessions for the county of Franklin. Each endorsed "Read the first time and passed."

Ordered, That these bills be read; which being read were severally passed the second time and returned.

On motion of Mr. Campbell, the bill to repeal the fifth and sixth sections of an act passed at Hillsborough, in the year 1784, entitled, "An act to amend an act, entitled, An act for the regulation of the town of Wilmington," and the report of the committee thereon, was ordered to lie till to-morrow morning, and that it be then taken up and read as the second time in this house.

The bill to amend an act to prevent abuses in taking up stray horses, cattle, sheep and hogs, and other things therein mentioned, was read the third time, passed and sent to the House of Commons.

Mr. Hargett delivered in the following report, viz:

The committee of propositions and grievances No. 1, to whom was referred the petition of Jonathan Hampton, report—On the information given your committee by the Treasurer and Mr. Withrow's certificates, also by the oral testimony of Col. Porter, it appears that the said Jonathan Hampton was Sheriff of the county of Rutherford for the year 1785, and through mistake or for want of laws to govern his conduct, he failed to collect the sinking fund tax of that year, and still stands charged on the Treasurer's books for the whole amount of said tax. Your committee being desirous of doing justice to their citizens in all cases where the public is not likely to be injured, do therefore recommend that a law be passed authorising the said Jonathan Hampton to collect from the inhabitants of the county of Rutherford the sinking fund tax for the said year 1785.

F. HARGETT, Ch.

The committee of propositions and grievances, to whom was referred the petition of Joseph Dickson, report—On examining the vouchers of the allegations set forth in the said petition, it appears by a certificate signed by John Carough, Surveyor of the county of Lincoln, corroborated by other information, that the said Joseph Dickson did enter in the said county one thousand acres of land, and that warrants issued accordingly; it also appears by the same testimony, that when the Surveyor run out the said land he could find but four hundred and ninety-six acres that were vacant within the bounds of the location made by the said Joseph Dickson: That the said petitioner hath paid to the Entry-taker of said county, the sum of one hundred pounds in specie certificates, the amount of the entrance money for the land so entered, which certificates hath been paid into the public treasury. Your committee on considering these circumstances, are of opinion the prayer of the petition be granted; and that a resolve be passed directing the Treasurer to refund the certificates for the lands that the said Joseph Dickson paid for over and above the amount of what was found to be vacant, which amounts to £50.8s.—Which is submitted. FRED. HARGETT, Ch.

The foregoing reports being read, were concurred with and sent to the House of Commons.

Agreeable to a report of the committee of the present Assembly, Resolved, That the public Treasurer be and he is hereby directed to pay unto Mr. Joseph Dickson, the sum of fifty pounds eight shillings

in specie certificates, that amount having been paid into the treasury by him and for which he has not received compensation. Sent for concurrence.

The committee of propositions and grievances, to whom was referred the petition of Edmund Hall, report—That from the depositions of Thomas H. Hall, corroborated by other incontrovertible testimony, it appears to the entire satisfaction of your committee, that sometime previous to the late war, a certain Edmund Fanning did give unto Edmund Hall the petitioner, two lots in the town of Tarborough, known and distinguished in the plan of the said town by No. 95 and 98; which lots the said Edmund Hall hath ever since had possession of, and continually paid taxes for the same. It also appears to the committee that from unavoidable accidents occasioned by the late war and otherwise, the said Edmund Hall hath not been able to procure from the said Edmund Fanning a title in writing to the said lots, although it seems to have been the full intention of the said Fanning to have made the said Hall a lawful deed of conveyance to the said lots. Under these circumstances your committee are of opinion the prayer of the petition be granted, and do recommend that a bill be brought in and passed into a law to vest the title of the aforesaid lots in the said Edmund Hall and his heirs. Which is submitted. FRED HARGETT, Ch.

The foregoing report being read, was concurred with and sent to the House of Commons.

On motion of Mr. Hargett, Resolved, That the Chairman and any seven members of the standing committee of this General Assembly, be a quorum to determine on any business committed to them during this session.

Ordered, That the following message be sent to the House of Commons:

Mr. Speaker and Gentlemen:

The bill and petition for annexing part of Onslow to the county of Jones, we propose shall be reported on by the committee appointed on the petition of the inhabitants of New river.

On motion of Mr. Graham, Resolved, That it shall be considered the duty of the Treasurer and Comptroller, at all future sessions of the General Assembly of this State, during the first week of their session, to lay before them a list of the names of all such persons as are indebted to the State, with the respective sums opposite their

names which they are indebted, in order that the same may be referred to the committee of privileges and elections of each house, or that they may take such order thereon as may appear just and consistent with the constitution of this State. Sent for concurrence.

The house adjourned until to-morrow morning, 10 o'clock.

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TUESDAY, November 23, 1790.

Met according to adjournment.

Mr. Dauge moved for leave and presented a bill to repeal part of an act, entitled, "An act to regulate and ascertain the several officers fees therein mentioned, and for altering the times of holding courts of law and equity for the districts of Halifax, Edenton, New Bern and Wilmington," passed at New Bern, 1784; which was read, passed the first time and sent to the House of Commons.

Mr. Hargett presented a report of the committee of the last Assembly, on the petition of Jas. Miller; which was read and referred to the committee of propositions and grievances, and sent to the House of Commons.

Received from the House of Commons the bill for equalizing the land tax, endorsed "Read the first time and passed." And the bill to repeal the fifth and sixth sections of an act passed at Hillsborough, in the year 1784, entitled, "An act to amend an act, entitled, An act for the regulation of the town of Wilmington," endorsed "Read the second time and passed."

Ordered, That these bills be read; which being read, each was passed the second time and returned.

Received likewise the following message:

Mr. Speaker and Gentlemen:

We agree that the bill and petition for annexing part of Onslow to the county of Jones, be reported on as by you proposed.

Received likewise a bill to amend an act, entitled "An act directing the manner of electing Representatives to represent this State in Congress," endorsed "Read the first time and passed;" which being read,

Ordered, That the following message be sent to the House of Commons:

Mr. Speaker and Gentlemen:

The bill directing the manner of electing Representatives from this State to the Congress of the United States, we propose shall be

referred to the consideration of a joint committee, to consist of members from each district, and have appointed on the part of this house Mr. Dixon, Mr. Graham, Mr. Courtney, Mr. Macon, Mr. Skinner, Mr. Hargett, Mr. Kenan and Mr. Clinton.

Received from the House of Commons the report of the committee on the petition of Joseph Dixon, and the report on the petition of Edmund Hall, endorsed "Concurred with."

On motion, Ordered, That Mr. Hill have leave to withdraw for amendment the bill to repeal an act passed at Fayettevile, 1786, and to alter the mode of punishing horse-stealing.

Mr. Armstrong delivered in the following report:

The committee to whom the bill for regulation of the pilots of Cape Fear river was referred, report—That it appears to your committee, that the intention of the said bill being to encrease the wages or fees of the pilots of said river will have the good effect, by enabling them to procure and keep good decked boats sufficient to keep the sea in rough weather, and to exercise their calling to the safety and advantage of commerce; but your committee do not approve of the legislative body making a distinction between the current money of the State and specie.—Your committee therefore recommend that 25 per cent. be added to the fees mentioned in the said bill, and that all clauses which tend to injure the credit of our money be deled, and that with these amendments the bill pass into a law. Which is submitted. JAMES ARMSTRONG, Ch.

The house taking this report into consideration, concurred therewith.

The bill to alter and amend the acts for regulating the pilotage and facilitating the navigation of Cape-Fear river, was read, amended, passed the second time and sent to the House of Commons.

Received from the House of Commons the bill to make Cross-creek navigable, endorsed "Read the third time, amended and passed;" which being read, it was on motion of Mr. Hargett, ordered to lie for consideration till to-morrow morning, and that it be then taken up and read as the third and last time.

Mr. Macon presented the memorial of Reuben Searcy, relative to "lost certificates;" which being read, was rejected.

Mr. Armstrong delivered in the following report:

The committee to whom was referrd what further allowance should be made the public Printers, as also what further regulation should

be made respecting the duty of their office, report—That the sum of fifty pounds, as charged by them for printing the court law of 1777, and the act for restraining the taking of excessive usury, including 12 reams of paper, be granted, if the General Assembly should think it exceeded the printing business of the preceding year.

Resolved, That the public printers do furnish to each Justice of the Peace in this State one copy of the laws, to each member of the General Assembly not a Justice one copy, to each Judge of the superior court one copy, to the Attorney-General one copy, to the Treasurer of the State one copy of the laws and journals, to the Secretary of State one copy of the laws and journals, to the Clerk of each house of the General Assembly one copy of the laws and journals, to each Clerk of the superior and county courts one copy of the laws, to each Sheriff one copy of the laws, to each member of Assembly one copy of the journals; and that the members of the General Assembly from the several counties in this State, make out a list of the justices within their respective counties, and deliver the same to the Clerks of the two houses; and that the public Printer shall be hereafter exempt from militia duty, in the same manner as other exempts are by law. Which is submitted.

JAMES ARMSTRONG, Ch.

The house taking this report into consideration, it was moved by Mr. M'Dowall that the report be amended, by striking out that part which makes an allowance to the Printers for ex-officio services; which motion being carried, the remaining part of the report was concurred with, and sent to the House of Commons.

Received from the House of Commons the petition of John Umstead, a memorial of George Hooper, a petition of James Kerr, and a memorial of Nimrod Bradley and Thomas Adcock, each endorsed "Referred to the committee of propositions and grievances;" which were read, referred in like manner and returned.

Received from the House of Commons the bill for incorporating the physicians and surgeons of this State, by the name of the North Carolina Medical Society, endorsed "Read the second time and passed." And a bill to establish a town at Fort Johnston, on Cape-Fear river, endorsed "Read the first time and passed."

Ordered, That these bills be read; which being read, the first was amended, passed the second, and the latter the first time in this house and returned.

Received likewise a bill to empower James Craige, guardian of the orphans of David Craige, dec. to sell and dispose of part of the real estate of the said David Craige, for the payment of a debt due by him to the public; and a bill to amend an act, entitled, "An act declaring what fences are sufficient, and to provide a remedy for abuses," so far as relates to the counties of Bladen, New Hanover and Brunswick; each endorsed "Read the first time and passed."

Ordered, That these bills be read; which being read, the first was passed the first time in this house and returned, and the latter on motion rejected.

Received likewise the following message:

Mr. Speaker and Gentlemen:

The bill with the petition accompanying the same for annexing part of the county of Wilkes to the county of Surry, we propose shall be committed to the committee appointed on the bill and petitions for and against the division of Caswell county.

Ordered, That the following message be sent to the House of Commons:

Mr. Speaker and Gentlemen:

We consent to the reference by you made of the bill for annexing part of Wilkes to the county of Surry.

The house adjourned till to-morrow morning, 10 o'clock.

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WEDNESDAY, November 24, 1790.

Met according to adjournment.

Agreeable to the order of the day, the bill to make Cross-creek navigable was read, passed the third and last time and ordered to be engrossed.

Received from the House of Commons the following message:

Mr. Speaker and Gentlemen:

The message from his Excellency the Governor, with the letter from Mess. Stewart and Muir accompanying it, relative to the Martinique debt, we propose shall be referred to the committee of finance.

The foregoing being read, together with the message from the Governor,

Ordered, That the following message be sent to the House of Commons:

Mr. Speaker and Gentlemen:

We agree to the reference by you made of the message from his Excellency the Governor of yesterday.

Received from the House of Commons the following message:

Mr. Speaker and Gentlemen:

We agree that the bill directing the manner of electing Representatives from this State to the Congress of the United States, be referred to a joint committee as by you proposed, and have on our part appointed Mr. M'Dowall, Mr. M'Laine, Mr. Taylor, Mr. Polk, Mr. Person, Mr. Mebane, Mr. Hill, Mr. Hawkins, Mr. Hamilton, Mr. Stone, Mr. Guion, Mr. Witherspoon, Mr. Jones, Mr. Gautier, Mr. Hay and Mr. Grove.

Received also the resolution of this house directing the Treasurer and Comptroller, at all future meetings of the Assembly, to lay before them the names of the several public debtors as therein mentioned, and the resolution declaring that seven members of any committee shall be a quorum for business; each endorsed "Read and concurred with."

Received likewise a bill to vest a certain piece of land therein described in Sophia Neale, and to authorize the said Sophia Neale and John Hall to make sale and dispose of two other pieces of land in Brunswick county, of the real estate of the late Thomas Neale, Jun., dec., and the bill to repeal part of an act, entitled, "An act to regulate and ascertain the several officers fees therein mentioned, and for altering the times of holding courts of law and equity for the districts of Halifax, Edenton, New Bern and Wilmington," passed at New Bern, 1784; each endorsed "Read the first time and passed."

Ordered, That these bills be read; which being read, the first was passed the first, and the latter the second time in this house and returned.

Received likewise a resolution directing the public Treasurer to pay unto Edward Randall and Samuel Williams certain sums of money, agreeable to a report of the committee of the present Assembly; which was concurred with and returned.

Mr. Campbell presented the resignation of John Huske, as a Justice of the Peace for the county of New Hanover; which was read, accepted and sent to the House of Commons.

Received from the House of Commons the resignation of Roger Griffith, as Col. of Chatham county, and the resignation of Thomas Felps, as a Justice of the Peace for the county of Rowan; which were read, accepted by this House and returned.

Received from the House of Commons a report of the committee on the petition for dividing Caswell county, and a report of the committee on the division of Dobbs county, each endorsed "Concurred with;' which being read, each was on motion rejected.

Received also a bill to amend and provide for the deficiencies of the revenue laws of this State, endorsed "Read the first time and passed."

Ordered, That this bill be read; which being read, was passed the first time in this house and returned.

The house adjourned until to-morrow morning, 10 o'clock.

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THURSDAY, November 25, 1790.

Met according to adjournment.

Mr. Hill, who had leave to withdraw for amendment the bill to repeal part of an act, entitled "An act to alter the mode of punishing horse stealing, also to repeal an act to prevent horse stealing," passed at Fayetteville in the year 1786, delivered in the same with the amendments; which was read, passed the first time and sent to the House of Commons.

Mr. Bethell moved for leave and presented a bill to authorise William M'Clellan, of the county of Rockingham, to extend a mill-dam across Mayo River; which was read, passed the first time and sent to the House of Commons.

Mr. Speaker laid before the House a letter from the Hon. James Iredell, on the subject of the Revisal of the laws; which was read and sent to the House of Commons.

Received from the House of Commons the following message:

Mr. Speaker and Gentlemen:

We herewith send for your concurrence sundry resolutions expressing the sense of this House on the conduct of our Senators in the Congress of the United States, as well as giving them further instructions, which were adopted by a committee of the whole of this house, have been reported and concurred with.

The foregoing being read, it was on motion of Mr. Hargett, Or-

dered, That the report above alluded to, together with the resolutions, lie till Monday next, and that they then be taken up as the order of that day.

Received from the House of Commons a bill to amend an act, passed at Hillsborough in the year 1784, entitled, "An act for extending the navigation of Roanoke river.." And a bill to authorise the Commissioners of the town of Edenton to grant to Dr. Samuel Dickenson a certain water-lot in the said town. Each endorsed "Read the first time and passed."

Ordered, That these bills be read; which being read, were severally passed the first time and returned.

Received likewise a letter from George Ogg, relative to certain articles of merchandise lodged in the hands of Bryan Ward by Wm. Blount, Esq., late Commissioner for Indian treaties, endorsed "Referred on the part of the House of Commons to Mr. M'Dowall, Mr. Person, Mr. Hay, Mr. Guion, Mr. Leigh, Mr. Jones, Mr. Franklin and Mr. Gautier;" which was read, referred on the part of the Senate to Mr. Hargett, Mr. Nesbitt, Mr. Hill, Mr. Skinner and Mr. M'Dowall, and returned.

Mr. Gillespie presented the petition of Charles Bruce, late Commissioner of confiscated property; which was read, referred to the committee of claims, and sent to the House of Commons.

Mr. M'Dowall from the committee appointed to amend the bill to amend and repeal the several acts and parts of acts therein mentioned respecting slaves, delivered in the same with the amendments; which being read, was on motion rejected.

Received from the House of Commons a resolution directing the Treasurer relative to the stay of an execution against John Taylor and James Mebane; which was read, concured with and returned.

Received likewise a bill to amend and extend the powers given in an act, entitled, "An act to empower the administrators of Samuel Swann, of New-Hanover county, Esq., dec., to sell and dispose of part of the real estate of the said Samuel for the payment of his debts, in order to make provision for his family, and also to make conveyances for such part of the real estate as was sold by the said Samuel in his lifetime," endorsed "Read the first time and passed."

Ordered, That this bill be read; which being read, was passed the first time in this house and returned.

On motion, Ordered, That the following message be sent to the House of Commons:

Mr. Speaker and Gentlemen:

We have added Mr. Charles Johnson to the judicial committee, to the committee on finance, and the committee to report on the letter from George Ogg.

Mr. Armstrong delivered in the following report:

The committee to whom the petition of John Herritage, Esq., late Commissioner of confiscated property in the county of Dobbs, was referred, report—That it appears by a fair stated account, that Mr. Herritage is justly entitled to the charge of thirty-one pounds four shillings and one penny, being his commissions on £3,120 6 4, the amount of sales of sundry perishable property, and the property delivered to the district Commissioner; and that he is also justly entitled to the further sum of twenty-one pounds five shillings and eleven pence for cash paid the Clerk of Dobbs county aforesaid, for fees, &c., making together fifty-two pounds ten shillings, from which there being deducted £34:12:9, for sundries purchased and received by said Herritage, there remains due to him the sum of seventeen pounds twelve shillings and three pence specie, which your committee are of opinion the Treasurer be directed to pay him, and be allowed. Which is submitted. JAMES ARMSTRONG, Ch.

The house taking this report into consideration, concurred therewith.

Received from the House of Commons the following bills:—A bill to amend an act, entitled, "An act to establish a militia in this State. A bill for building a court-house in the town of Wilmington, for the district of Wilmington. A bill to alter the names of certain persons therein mentioned. A bill to amend an act, entitled, "An act to prevent the exportation of unmerchantable commodities," passed at Hillsborough, 1788. A bill to appoint Commissioners to direct and establish a gap or slope on the mill-dam of Samuel High at the falls of Neuse river, in Wake county, and to repeal so much of an act passed at Tarborough, 1787, as comes within the purview of this act. And a bill for vesting the property of certain lots in the town of Tarborough in Edmund Hall and his heirs. Each endorsed "Read the first time and passed."

Ordered, That these bills be read; which being read, were severally passed the first time in this house and returned, the one relative to the militia of this State excepted, which was rejected.

Received also the following message:

Mr. Speaker and Gentlemen:

We have agreed to your propositions for balloting on Saturday next for the Councillors yet to be elected, and place at which the next Assembly shall be held.

Mr. Macon moved for leave and presented a bill for raising a revenue for the support of government for the year 1791; which was read, passed the first time and sent to the House of Commons.

Received from the House of Commons the bill to continue in force an act passed at Fayetteville, 1788, entitled, "An act for giving longer time for the registering, proving and recording grants, deeds, mesne conveyances and other instruments of writing; and the bill to empower Etheldred Ruffin, Thomas Branton, Willoughby Williams and Hymeric Hooker, the securities of Benjamin Caswell, late Sheriff of the county of Dobbs, to collect and account for the taxes due from the inhabitants of the said county for the year 1789; each endorsed "Read the third time and passed."

Ordered, That these bills be read; which being read, were passed the third and last time and ordered to be engrossed.

Received likewise the bill to carry into effect the ordinance of the Convention held at Hillsborough, in July, 1788, entitled, "An ordinance for establishing a place for holding the future meetings of the General Assembly, and the place of residence of the chief officers of State," endorsed "Read the second time and passed."

On motion of Mr. Hargett, seconded by Mr. Hill, Ordered, That this bill be read the second time in this house; and the bill being accordingly read for the second time, was put on its passage: Whereupon, there being an equal number of votes for and against the passing of the said bill, the Speaker was called on, who gave the casting vote and declared that the bill should be rejected; and the same was rejected accordingly.

The yeas and nays being required on the rejection of this bill by Mr. Macon, seconded by Mr. Hargett, are as follows, to-wit:

For the passage of this bill—Mess. Bryan, Clay, Hargett, Qualls, Wynn, Hill, Dauge, Phillips, Groves, Riddick, Skinner, Keaton, Macon, Payne, Griffin, Lane, Benford, Bell, Mooring, Bright, Armstrong, Pugh, Humphries and Johnson—24.

Against the passage of this bill—Mess. Owen, Lanier, Gillespie, M'Allister, Nesbitt, Arnold, Snead, Berger, Child, Bethell, Barnes,

Tyson, Clinton, Graham, Dixon, Courtney, Webb, Singleton, Edwards, Campbell, Stewart, Winston, M'Dowall—24.

The house adjourned until to-morrow morning, 10 o'clock.

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FRIDAY, November 26, 1790.

Met according to adjournment.

Mr. Wynn presented the petition of James Baker, and the petition of Sarah Long, each of the county of Hertford, which were read and referred to the committee of propositions and grievances No. 1, and sent to the House of Commons.

Received from the House of Commons the bill empowering the county courts of pleas and quarter-sessions to direct the Secretary of State to correct certain patents or grants therein described, when there have been errors by the Surveyor in making the returns, or by the Secretary in issuing the same, endorsed "Read the second time, amended and passed."

Ordered, That this bill be read; which being read, was amended, passed the third time and returned.

Mr. Stewart moved for leave and presented a bill to regulate and fix the prices of inspecting and coopering tobacco; which was read, passed the first time and sent to the House of Commons.

Received from the House of Commons the report of the committee on the petition of Jonathan Hampton, and the report on the petition of John Herritage, each endorsed "Concurred with."

Mr. Hill presented the memorial of Josiah Johnson, of Franklin county; which was read, referred to the committee of propositions and grievances No. 1, and sent to the House of Commons.

The resignation of Joseph Rosser, second Major of the county of Chatham, was read and accepted.

Received from the House of Commons the following bills:—A bill to authorise Henry Emanuel Lutterloh to raise by way of lottery, a sum sufficient to bring into this State foreigners, who are artisans in various branches of business, &c. A bill to empower Prudence Durphie, administratrix of John Winn and Hugh Carson, administrators of William Durphie, dec., to sell a tract of land in the county of Iredell for the payment of debts, &c. And a bill for subscribing on loan, in the office of the Commissioner of the United States, such continental monies and continental and state securities as are or

may be in the hands of the Treasurer or Comptroller of this State belonging to the public, or which shall be in the hands of either of them on the last day of September next, and for appropriating certain monies as therein mentioned. Each endorsed "Read the first time and passed."

Ordered, That these bills be read; which being read, each was passed the first time and returned.

Mr. Hargett moved for leave and presented a bill directing the manner in which the real soldier or honest claimant, among those who had military accounts settled at Warrenton in the year 1786, shall obtain certificates, and making provision for such claimants whose accounts are yet unsettled; which was read, passed the first time and sent to the House of Commons.

Received from the House of Commons a bill for altering the time for holding the county court of pleas and quarter-sessions for the counties of Franklin and Iredell. And the bill directing the Clerks of the county courts of Anson and Stokes, to keep their offices at the court-houses of the said counties. Each endorsed "Read the second time and passed."

Ordered, That these bills be read; which being read, the first was passed the third time in this house and returned, and the latter on motion rejected.

Received likewise the bill directing the time and places of holding the annual elections in the county of Hyde. And the bill to empower James Craige, guardian of the orphans of David Craige, dec., to sell and dispose of part of the real estate of the said David Craige for the payment of the debts due by him to the public. Each endorsed "Read the second time and passed."

Ordered, That these bills be read; which being read, were passed the second time in this house and returned.

Received also the bill to amend an act, passed at Fayetteville, 1788, entitled, "An act to authorise and enable John Colson to return to this State, and exercise the privileges therein mentioned;" and the bill to establish the tobacco ware-house now building at Fayetteville by James Ritchie and John Winslow, and to empower the county court to appoint inspectors to the same; endorsed "Read the third time and passed." And a bill to regulate the administration of justice, endorsed "Read the first time and passed."

Ordered, That these bills be read; which being read, the two first

were passed the third time and ordered to be engrossed, and the latter the first time and returned.

The memorial of Joseph Leech, Esq., was read and referred as by the House of Commons.

Received from the House of Commons the bill for making conformable to the plan the second course of a tract of land, lying in Jones county, formerly Craven, granted by patent to John Richards, bearing date the 24th day of November, 1738, containing three hundren acres, lying on both sides of Trent river; and the bill to alter and amend the acts for regulating the pilotage and facilitating the navigation of Cape-Fear river; each endorsed "Read the third time and passed." And the bill to amend an act, entitled, "An act for the promotion of learning in the county of Currituck, and to amend the Wilmington academy law," endorsed "Read the second time and passed."

Ordered, That these bills be read; which being read, the two first were passed the third time and ordered to be engrossed, and the latter on motion rejected.

Mr. Armstrong moved for leave and presented a bill to cede and vest in the United States of America, the lands therein mentioned, for the purpose of building light houses; which was read, passed the first time and sent to the House of Commons.

Received from the House of Commons a bill to establish the titles of certain lands in Simon Turner, David, William and Jonathan Turner; and a bill to confirm unto Greenbury Sutton an indefeasible title to certain lands therein mentioned, in Perquimans county; also a bill to erect that part of Wilkes county lying west of the Apalachian mountain, and part of Washington county, into a separate and distinct county by the name of ————; each endorsed "Read the first time and passed."

Ordered, That these bills be read; which being read, were severally passed the first time and returned.

The house adjourned until to-morrow, 4 o'clock.

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SATURDAY, November 27, 1790.

Met according to adjournment.

Received from the House of Commons the following message:

Mr. Speaker and Gentlemen:

We are now ready to proceed on the balloting heretofore agreed

on, and have appointed Mr. Nash and Mr. Sanders to superintend and conduct the same on the part of this house.

Ordered, That the following message be sent to the House of Commons:

Mr. Speaker and Gentlemen:

We are also ready to proceed to balloting, and have appointed Mr. Dixon and Mr. Bethell to conduct the same on the part of this house.

Received from the House of Commons the following message:

Mr. Speaker and Gentlemen:

We have appointed Mr. M'Laine to superintend the balloting on the part of this house in the room of Mr. Nash, who is excused from attending on that business at his particular request.

Mr. Johnson presented the petition of Edmund Blount of Chowan county; which was read, referred to Mr. Johnson, Mr. M'Dowall and Mr. Skinner on the part of the Senate, and sent to the House of Commons.

Mr. Payne moved for leave and presented a bill to amend an act, entitled, "An act to admit to record certain deeds, grants and patents for lands heretofore obtained;" which was read, passed the first time and sent to the House of Commons.

Received from the House of Commons the bill to authorise William M'Clellan, of the county of Rockingham, to extend a mill-dam across the Mayo river, endorsed "Read the first time and passed;" and the bill to vest the title of a piece or parcel of land lying in Granville county, in James Forsyth and his heirs, in fee-simple, endorsed "Read the third time and passed."

Ordered, That these bills be read; which being read, the first was passed the second time in this house and returned, and the latter the third time and ordered to be engrossed.

Mr. Hargett delivered in the following report:

The committee to whom was referred the petition of Adam Lawrence, and the consideration of the certificates issued by the board of Commissioners of army accounts at Warrenton, report—That it is the opinion of the committee a bill be brought in and passed into a law, prescribing some plan for adjusting all claims for continental services done in the line of this State not yet liquidated; also the manner in which the certificates issued at Warrenton shall be re-examined, discriminating those that are fraudulently

obtained from those that appear to be genuine. Which is submitted.

FRED. HARGETT, Ch.

The foregoing report being read, was concurred with.

The house adjourned till Monday morning, 10 o'clock.

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MONDAY, November 29, 1790.

Met according to adjournment.

Received from the House of Commons the bill to prevent persons from handing about petitions for the emancipation of slaves in this State, endorsed "Read the first time and passed."

Ordered, That this bill be read; which being read, was on motion rejected: Whereupon the yeas and nays being required by Mr. Macon, seconded by Mr. Tyson, are as follows, to-wit:

For the passage of this bill—Mess. Owen, Bryan, M'Allister, Hill, Kenan, Skinner, Berger, Macon, Griffin, Clinton, Mooring and Pugh.—12.

Against the passage of this bill—Mess. Lanier, Gillespie, Hargett, Wynn, Dauge, Riddick, Snead, Keaton, Payne, Child, Barnes, Tyson, Graham, Courtney, Webb, Edwards, Singleton, Stewart, Winston and Johnson.—20.

Received from the House of Commons the following message:

Mr. Speaker and Gentlemen:

We herewith send you the addresses of the Board of Trustees of the University, accepting the grants made to that institution, and soliciting a loan in order to enable them to erect part of the buildings, &c.

The foregoing being read, together with the addresses alluded to, it was, on motion of Mr. Nixon,

Ordered, That they be made the order of the day of Thursday next.

Mr. Dixon and Mr. Benford appointed on the part of this house to conduct and superintend the balloting for four members of the Council of State yet to be elected, and place at which the next Assembly shall be held, delivered in the following report, to-wit,—That having executed the duties of their appointment, they find that Caleb Phifer, Esq., is elected a Councillor of State, that neither of the other gentlemen in nomination had a majority, and that

the place for holding the next Assembly is yet to be balloted for.

The house taking this report into consideration, concurred therewith.

Received from the House of Commons the bill to amend an act, passed at Fayetteville, in November, 1786, entitled "An act to amend an act passed at New Bern, in the year 1785, entitled, An act for increasing the jurisdiction of the county courts of pleas and quarter-sessions, and of the Justices of the Peace out of court, and directing the times of holding courts in this State;" and a bill to vest in juries a dispensing power in all cases of damages to assess the value of the contract, endorsed "Read the first time and passed."

Ordered, That these bills be read; which being read, each was on motion rejected.

On motion of Mr. Macon, Ordered, That the following message be sent to the House of Commons:

Mr. Speaker and Gentlemen:

We have fixed on Saturday next for the appointment of Justices and Field Officers, and propose that the recommendations be first introduced in the House of Commons.

Received from the House of Commons the report of the committee on the petition of Helen Tyler, endorsed "Concurred with;" which being read, was concurred with and returned.

Received also from the House of Commons a resolution directing the Comptroller to issue a certificate, &c., in favour of the executors of Lieut. Col. Wm. Lee Davidson; which was read, concurred with and returned.

Mr. Hargett, from the committee delivered in the following reports:

The committee of propositions and grievances, to whom was referred the petition of John Brevard, report—That it appears from a bond and other papers exhibited to your committee, that at a sale of confiscated property by the Commissioners of Salisbury district, on the 16th and 17th days of September, 1786, John Brevard purchased a tract of land for the sum of £2,000 certificates, sold by the said Commissioner as the property of George Spraker, and also six or seven lots in the town of Salisbury, as the property of James Kerr, for the sum of £410 certificates, for which sums, amounting to £2,410 specie certificates, the said Brevard gave his bond to the Commissioner, and paid off and took up the same at the time it

became due, viz.: the 18th day of September, 1787. Your committee further report, that it appears by the deposition of Col. James Craige, that the said George Spraker is now and hath been constantly in the actual possession of the tract of land sold by the Commissioner as aforesaid, and that by a transcript of the record of Salisbury superior court, on a trial in ejectment between Henry Giles and John Steele, for the recovery of a house and lot sold as the property of James Kerr, it appears that the Judges did determine and say, that the property of the said James Kerr was not confiscated by any of the laws of this State commonly called confiscation laws, but that he had a right to sell and dispose of his estate.—— Your Committee are therefore of opinion, that the Treasurer be directed to refund to the said John Brevard the certificates by him actually paid into the hands of the Commissioner as aforesaid, upon the said Brevard's relinquishing and giving up the conveyances for the said land and lots, if any have been made, and that the contracts and conveyances for the same be declared void. All which is submitted. FRED. HARGETT, Ch.

The committee of propositions and grievances, to whom was referred the petition of Lewis Beard and others, report—That from the deposition of Mr. Beard, one of the petitioners, corroborated by a letter from Charles Bruce, Esq., late Commissioner of confiscated property for the district of Salisbury, it appears that on the 17th and 18th days of Sept., 1786, the said Commissioner did expose to sale, as the property of a certain James Kerr, a number of lots in the town of Salisbury, and that the following persons became the purchasers thereof, viz.: Lewis Beard one half-acre lot and house, for the sum of £525 and one other lot for the sum of £25 5s. Peter Fault, one lot £10. Joseph Robins, two lots for £31. George Parks, one lot £34. Thomas Archer, four lots, £92. Peter Brown, one lot, £14 5s. Alex. Nelson, one lot, £11 10s and Robert Martin, one lot, £35 5s all which lots were sold as confiscated property of James Kerr as aforesaid. Your committee further report, that it appears from a transcript of the record of Salisbury superior court, that a suit in ejectment came on to be tried there at March term, 1789, between Henry Giles plaintiff, and John Steele defendant, for the recovery of a house and lot sold as the property of the said James Kerr, when the Judges, after hearing the matter fully debated, did determine and say that the property of the said James

Kerr was not confiscated by any of the laws of this State commonly called confiscation laws, but that he had a right to sell and dispose of his estate.——Your committee are therefore of opinion, that the Treasurer be directed to refund the said petitioners the certificates they have actually paid into the hands of the Commissioner for the purchase of the lots aforesaid, and that the Commissioner be directed to cancel bonds given for the purchase of the lots aforesaid as have not been paid, upon the purchasers relinquishing and giving up the conveyances for the same, if any have been made, and that such conveyances and contracts be void. Which is submitted. FRED. HARGETT, Ch.

Resolved, That the house do concur with these reports.

On motion of Mr. Macon, Ordered, That the following message be sent to the House of Commons:

Mr. Speaker and Gentlemen:

It appearing from the balloting of Saturday, that four Councillors of State, and the place for holding the next Assembly, are yet to be made choice of; we therefore propose that the two houses ballot therefor on Wednesday next, at 4 o'clock in the afternoon.

On motion, Resolved, That the Treasurer be and he is hereby directed to refund and pay to John Brevard, the sum of two thousand four hundred and ten pounds specie certificates, with interest from the 18th day of Sept., 1787, it being for so much paid at that time by John Brevard to Charles Bruce, Commissioner, for the purchase of a tract of land the property of George Spraker, and sundry lots in the town of Salisbury the property of James Kerr, suggested to have been confiscated, and was sold as such by the Commissioner aforesaid, and that the said Brevard relinquish and give up the conveyances for the said property, if any have been made. Sent for concurrence.

Mr. Singleton moved for leave and presented a bill to empower the county court of Rutherford to levy a tax for the purpose of building a court-house in the said county; which was read, passed the first time and sent to the House of Commons.

Received from the House of Commons the following bills, to-wit.: A bill directing the Entry-takers as to their duty in office respecting certain cases therein mentioned. A bill to empower the county court of Rockingham to lay a further tax to reimburse the Commissioners the money by them expended in erecting the court-house,

prison and stocks in said county. A bill to establish an inspection of tobacco at the ferry of Thomas Eaton on Roanoke river. A bill to allow the inhabitants of the town of Edenton to elect a magistrate of police therein, and for other purposes. Each endorsed "Read the first time and passed."

Ordered, That these bills be read; which being read, the three first were passed the first time and returned, and the latter on motion rejected.

Received likewise a resolution in favour of Isaac Enochs, of Rowan county; which was read, concurred with and returned.

Mr. Kenan presented the memorial of Daniel Glissoe; which was read, referred on the part of the Senate to Mr. Graham, Mr. Kenan and Mr. Clinton.

Received from the House of Commons a representation of Thomas W. Pearson, endorsed "Refered to the committee appointed to correct errors in patents." And a petition of Gilbert Clarke and others, endorsed "Referred to the committee of propositions and grievances No. 1;" which were read, referred in like manner and returned.

The address proposed by the House of Commons to be presented to his Excellency the Governor, and which was ordered by this house to lie on the table, was now on motion of Mr. Graham, taken up, agreed to and returned with the following message:

Mr. Speaker and Gentlemen:

The address by you proposed to be presented to his Excellency the Governor, we herewith return you agreed to; and have appointed Mr. Dixon and Mr. Graham to attend and present him with the same on the part of this house.

Mr. Hargett delivered in the following report:

The committee of propositions and grievances No. 1, to whom was referred the petition of Hugh Torrence, late Sheriff of Rowan county, report—That it appears to the committee that the said Hugh Torrence was Sheriff of the said county of Rowan for the year 1786, collected the taxes and paid them into the public treasury, agreeable to the Comptroller's report, founded on the Clerk's certificate of the amount of taxable property for that year. Your committee further report, that by a certificate from Col. Osborn, Clerk of the court of said county, it appears that in the return made by him to the Comptroller of the amount of taxable property of the said county

for the year 1786, he made a mistake of 79 polls, and 490 acres of land, and that the Sheriff thereby become liable to the public for that amount more than of right he ought to have been; that subsequent to the said Sheriff's settlement with the Treasurer, the court of the said county allowed him insolvents 46 polls, and 2,550 acres of land, which being added to those returned by the Clerk, amounts to 125 polls, and 3,042 acres of land, whereby the said Hugh Torrence has been subjected to the payment of £56 9s 6d in money, and £47 1s 3d. certificates, more than of right he ought to have done. Your committee are therefore of opinion, that the Treasurer be directed to pay unto the said Hugh Torrence the aforesaid sum of £56 9s 6d and at the rate of four shillings in the pound in lieu of the certificates, which amounts to £9 8s 3d in money; the said sum being added make £65 17s 9d. Which is submitted.

FRED. HARGETT, Ch.

The house taking this report into consideration, concurred therewith. Whereupon,

Resolved, That the public Treasurer pay unto Hugh Torrence, Sheriff of Rowan county for the year 1786, the sum of £65 17s 9d agreeable to a report of the committee of propositions and grievances No. 1; for which he shall be allowed in the settlement of his accounts with the public. Sent for concurrence.

Received from the House of Commons the following bills:—A bill to repeal the third section of an act passed in the year 1788, entitled, "An act to amend an act, entitled, An act for the regulation of the town of Hillsborough, and other purposes;" and a bill for altering the place of holding courts in the county of Randolph, and for erecting public buildings thereon; each endorsed "Read the first time and passed."

"Ordered, That these bills be read; which being read, each was on motion rejected.

Mr. Macon moved for leave and presented a bill directing the mode of defraying the expence of the members of the General Assembly in future; which was read, passed the first time and sent to the House of Commons.

The house adjourned till to-morrow morning, 10 o'clock.

TUESDAY, November 30, 1790.

Met according to adjournment.

Received from the House of Commons a letter from Abishai Thomas, Agent for settling the accounts of this State with the United States, endorsed "Referred to the committee appointed to confer with Doctor Williamson;" and a petition of John Hamilton, Esq., endorsed "Referred to Mr. Leigh, Mr. Polk, Mr. Porter, Mr. Person, Mr. Sawyer, Mr. Stone and Mr. Creecy;" which were read, the first referred as by the House of Commons, and the latter to Mr. Winston, Mr. Graham and Mr. Riddick, and returned.

Mr. Courtney presented the memorial of William Watters, Esquire, relative to the appointment of field officers in the county of Orange; which being read the recommendation of yesterday relative to these appointments, was reconsidered, and ordered to lie for further consideration.

Received from the House of Commons the following bills, to-wit, —The bill to authorise the Commissioners of the town of Edenton to grant to Dr. Samuel Dickenson a certain water-lot in the said town. The bill to vest a certain piece of land therein described in Sophia Neale, and to authorise the said Sophia Neale and John Hall to make sale and dispose of two other pieces of land in Brunswick county, of the real estate of the late Thomas Neale, Jun., dec. Each endorsed "Read the second time and passed." And the bill to cede and vest in the United States of America the lands therein mentioned, for the purpose of building light-houses, endorsed "Read the first time and passed."

Ordered, That these bills be read; which being read, were passed the second time in this house and returned.

Received also a petition of John M'Dermed, a memorial of John Wilson, a memorial of Robert Walton, a memorial of Henry Swink, a petition of John Hendry and a petition of Samuel Books; each endorsed "Referred to the committee of propositions and grievances;" which being read, were severally referred in like manner by this house and returned.

Received likewise the bill to repeal part of an act, entitled, "An act to regulate and ascertain the several officers fees therein mentioned, and for altering the times of holding courts of law and equity for the districts of Halifax, Edenton, New Bern and Wilmington," passed at New Bern, 1784; and the bill for vesting the

property of certain negroes in the heirs of Mark Newby; also the bill to incorporate the tradesmen and manufacturers of the towns of Edenton, New Bern, Wilmington and Halifax; endorsed "Read the second time and passed."

Ordered, That these bills be read; which being read, the first two were passed the third time in this house and returned, and the latter on motion rejected.

Mr. Hargett moved for leave and presented a bill to repeal an act, entitled, "An act to establish a department for adjusting and liquidating the public accounts of this State, and for appointing a Comptroller, and other purposes;" which was read, passed the first time and sent to the House of Commons.

Received from the House of Commons the bill to establish a town at the place fixed upon for the court-house in the county of Surry, endorsed "Read the first time and passed;" and the bill to repeal the fifth and sixth sections of an act passed at Hillsborough, in the year 1784, entitled, "An act to amend an act, entitled, An act for the regulation of the town of Wilmington," endorsed "Read the third time and passed."

Ordered, That these bills be read; which being read, the first was passed the second time in this house and returned, and the latter the third time and ordered to be engrossed.

Mr. Hargett presented the petition of William Dry, Entry-taker of Brunswick county; which was read, referred to the committee of propositions and grievances and sent to the House of Commons.

Received from the House of Commons the following message:

Mr. Speaker and Gentlemen:

We agree that the appointment of Justices and Field Officers be made on Saturday next. We also agree to ballot on Wednesday for the place at which the next Assembly shall be held, and for the four Councillors yet to be elected, as by you proposed.

Received also the bill directing the manner in which the real soldier or honest claimant, among those who had military accounts settled at Warrenton in the year 1786, shall obtain certificates, and making provision for such claimants whose accounts are yet unsettled, endorsed "Read the second time and passed." And the bill for granting on loan to the Trustees of the University of North-Carolina, for the term of —— years, and on the conditions there-

in mentioned, the sum of ——, endorsed "Read the first time and passed."

Ordered, That these bills be read; which being read, the first was passed the second, and the latter the first time and returned.

Received also a representation from the Judges of the Superior Courts in this State, endorsed "Referred to Mr. Taylor, Mr. Jones, Mr. Person, Mr. Leigh and Mr. Franklin;" which being read, was on the part of this House referred to Mr. Hargett, Mr. Graham and Mr. M'Dowall.

Mr. Hargett delivered in the following report:

The committee of propositions and grievances No. 1, to whom was referred the petition of James Miller, report—That in the year 1790, the said James Miller being Commissioner of confiscated property in the county of Rutherford, and provisions being scarce and difficult to procure, was induced by an earnest desire and wish to promote the public weal, to receive from Mrs. Mary Potts beef cattle to the amount of a bond she owed to a certain John Goodbread, then in arms and with the enemy, and whose property the said James Miller conceived was confiscated and forfeited to the State, and gave the said Mary Potts a receipt indemnifying her against said bond, which cattle the committee, from strong information, are induced to believe were applied to public use—That the said Goodbread hath since returned, instituted a suit against the said Mary Potts and recovered the amount of said bond; and the said Miller, by virtue of said receipts, hath been compelled by a verdict of a jury to pay the said judgment to Mrs. Potts, amounting to £48 6s 3d and £3 9s 10d, as appears by a certificate from the Clerk of the court herewith presented.—The committee from these circumstances are led to believe, that he has acted from a pure desire of promoting the public interest, and as they also believe the cattle so received were applied to the use of the State, are of opinion he ought to be reimbursed his money; to effect which your committee recommend the following resolution:

Resolved, That the Treasurer pay unto the said James Miller, the sum of fifty-one pounds sixteen shillings and one penny, being the amount of the judgment recovered against him as aforesaid, including the cost of suit. Which is submitted.

FRED HARGETT, Ch.

The house taking this report into consideration, concurred therewith.

Received from the House of Commons the bill to amend and provide for the deficiencies of the revenue laws of this State, endorsed "Read the second time, amended and passed."

Ordered, That this bill be read; which being read, was on motion rejected: Whereupon the yeas and nays being required on the rejection of this bill by Mr. Hill, seconded by Mr. Berger, are as follows:, to-wit:

For the passage of this bill—Mess. Bryan, M'Dowall, Nesbit, Wynn, Hill, Philips, Riddick, Snead, Berger, Barnes, Tyson, Graham, Dixon, Armstrong, Pugh, Winston and Humphries.—17.

Against the passage of this bill—Mess. Owen, Lanier, Clay, Bright, Hargett, M'Allister, Qualls, Kenan, Dauge, Groves, Skinner, Keaton, Macon, Payne, Child, Griffin, Bethell, Clinton, Lane, Courtney, Benford, Bell, Singleton, Edwards, Mooring, Campbell, Stewart and Johnson.—28.

Received also the report of the committee on the petition of John Brevard, and resolution in consequence thereof, and the report in favour of Lewis Beard and others, severally endorsed "Concurred with."

Mr. Singleton delivered in the following report:

Your committee to whom was referred the petition of Benjamin Cleveland, Esq., beg leave to report—That after taking the same under consideration, they are of opinion that the testimony is not sufficient to support the allegations set forth in the said petition. Which is submitted. RICHARD SINGLETON, Ch.

Resolved that the house do concur with this report.

Agreeable to order, the resolutions of the House of Commons instructing the Senators from this State to the Congress of the United States, was read, amended and returned, with the following message:

Mr. Speaker and Gentlemen:

We will concur with the resolutions of your house, instructing the Senators from this State to the Congress of the United States as therein mentioned, provided you will pass them as now amended.

Received from the House of Commons the report of the committee on the petition of Hugh Torrence, endorsed "Concurred with."

The House adjourned until to-morrow morning, 10 o'clock.

WEDNESDAY, December 1, 1790.

Met according to adjournment.

Mr. Lane presented the petition of a number of the inhabitants of Wake, Granville, and Orange counties, praying that a new county might be created, by annexing a part of each; which was read, and ordered to be sent to the House of Commons.

On motion, Ordered, That Mr. Stewart have leave to withdraw for amendment the bill to regulate and fix the prices for inspecting and coopering tobacco.

Received from the House of Commons a memorial of Hardy Murfree, Esq., endorsed "Referred to Mr. Jones, Mr. Polk, Mr. Leigh and Mr. Mebane;" which was read, and referred on the part of the Senate to Mr. Macon, Mr. Johnson and Mr. Graham.

Received also a memorial of Griffith John McRee, endorsed "Referred to the committee appointed on the memorial of Hardy Murfree;" which was read, referred in like manner and returned.

On motion of Mr. Campbell, Ordered, That the following message be sent to the House of Commons:

Mr. Speaker and Gentlemen:

We do not concur with your proposition for committing the bill to permit George Merrick to emancipate certain slaves, have therefore sent you the bill in order that it may go on its passage.

Mr. Bethel presented the resignation of Peter O'Neal, as a Justice of the Peace for the county of Rockingham, which was read, accepted and sent to the House of Commons.

Mr. Macon presented the representation of David Miller, praying that Timothy Riggs, a Justice of the Peace for the county of Rutherford, may be suspended from office; which was read, referred to Mr. Dixon, Mr. M'Dowall and Mr. Macon on the part of this house, and sent to the House of Commons.

Received from the House of Commons the bill to amend an act, entitled, "An act to admit to record certain deeds, grants and patents for lands heretofore obtained," endorsed "Read the second time and passed." And a bill to cede and vest in the United States of America, the lands therein mentioned, for the purpose of building light-houses, endorsed "Read the third time and passed."

Ordered, That these bills be read; which being read, the first was passed the second, and the latter the third time in this house and returned.

Received also a bill for reviving an act passed at Tarborough, in December, 1787, entitled, "An act for fixing the final settlement of unliquidated claims against this State," endorsed "Read the first time and passed." And the bill directing the manner in which the real soldier or honest claimant, among those who had military accounts settled at Warrenton, in the year 1786, shall obtain certificates, and making provision for such claimants whose accounts are yet unsettled, endorsed "Read the third time and passed."

Ordered, That these bills be read; which being read, the first was passed the second, and the latter the third time in this house and returned.

Mr. Courtney delivered in the following report:

The committee to whom was referred the petition of George Merrick, report—That it is the opinion of your committee that the prayer of the petition be granted, and that a bill be brought in and passed to emancipate the slaves in the said petition set forth, provided the said George Merrick gives bond with security, that the slaves shall be of good behavior, and not become chargeable to the parish during the term of their natural lives. Which is submitted.

WILLIAM COURTNEY, Ch.

Resolved, That the house do concur with this report.

The petition of Andrew Hampton, was read and referred as by the House of Commons.

Received from the House of Commons the bill to amend an act passed at Hillsborough, 1784, entitled, "An act for extending the navigation of Roanoke river;" and the bill directing the mode of proceeding in scrutinized elections; each endorsed "Read the second time and passed."

Ordered, That these bills be read; which being read, the first was passed the second time in this house and returned, and the latter on motion rejected.

Mr. Hargett delivered in the following report:

Your committee of propositions and grievances, to whom was referred the petition of Sarah Long, of the county of Hertford, widow and relict of Nehemiah Long, dec., report—That the facts set forth in the said petition, relative to the distressed situation of the petitioner, and several small children whom she has to raise and support, are well founded, therefore of opinion that the prayer of the

petitioner ought to be granted, that the right and title of the lands mentioned ought to revert to the State, that the petitioner be discharged from the payment of the purchase money, and that the court in which suit has commenced for recovery thereof, be directed to dismiss such suit from the docket; also that the Comptroller be directed to pass to the credit of Hardy Murfree, Esq., Commissioner of confiscated property for the district of Edenton, the amount of the purchase money aforesaid, which stands charged to him. Which is submitted. FRED. HARGETT, Ch.

Resolved, That the house do concur with this report.

On motion of Mr. Macon, Ordered, That the following message be sent to the House of Commons:

Mr. Speaker and Gentlemen:

We have appointed on the part of this house Mr. Pugh and Mr. Winston to conduct the balloting this evening. We nominate for Councillors Mr. G. Rutherford, Mr. Ch. Galloway, Mr. Gowdy, Mr. Faulcon, Mr. W. Little, Mr. Williams of Caswell, and Mr. Thomas Eaton. We also name the towns of New Bern, Fayetteville and Hillsborough, as the places for holding the next Assembly.

The house adjourned till 4 o'clock, P. M.

Met according to adjournment.

Received from the House of Commons the following message:

Mr. Speaker and Gentlemen:

We have added to your nomination for Councillors John Williams, of Chatham, Thomas Overton and William H. Harrington; and also nominate Tarborough for the place of the meeting of the next Assembly. We have appointed Mr. Scull and Mr. Sanders to superintend and conduct the balloting on the part of this house.

Received also the following message:

Mr. Speaker and Gentlemen:

We propose that the bill for equalizing the land tax be committed. We have on our parts appointed Mr. M'Dowall, Mr. Lock, Mr. Person, Mr. Hill, Mr. Everigin, Mr. Simpson, Mr. Smith and Mr. Grove, for this purpose.

Ordered, That the following message be sent to the House of Commons:

Mr. Speaker and Gentlemen:

We consent that the bill equalizing the land tax shall be referred

as by you proposed, and have appointed Mr. M'Dowall, Mr. Graham, Mr. Courtney, Mr. Macon, Mr. Johnson, Mr. Armstrong, Mr. Owen and Mr. Clinton, to act with the gentlemen by you named.

Received from the House of Commons the resolution of this house in favour of Hugh Torrence, endorsed "Concurred with."

On motion, Ordered, That Mr. Joel Lane have leave to absent himself from the service of this house after to-morrow, during the present session.

The house adjourned till to-morrow morning, 10 o'clock.

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THURSDAY, December 2, 1790.

Met according to adjournment.

Mr. Winston and Mr. Pugh, appointed on the part of this house to superintend and conduct the balloting for four Councillors of State, and the place of holding the next Assembly, delivered in the following report, to-wit:—That having performed the duties of their appointment, they find on casting up the scrolls, that John Faulcon and William Gowdy, Esquires, are elected Councillors of State—that neither of the other gentlemen in nomination had a majority—and that no place is made choice of for the sitting of the next Assembly.

The house taking this report into consideration, concurred therewith. Whereupon,

On motion of Mr. Macon, Ordered, That the following message be sent to the House of Commons:

Mr. Speaker and Gentlemen:

The two Councillors of State, and place at which the next Assembly shall be held, we propose shall be balloted for this evening at four o'clock.

Received from the House of Commons the report of the committee in favour of Mrs. Sarah Long, endorsed "Concurred with;" also the resignations of John Satchwell and William Meredith, the first a Justice of the Peace for the county of Hyde, and the latter for the county of Surry; which were read and accepted.

Mr. Tyson moved for leave and presented a bill to revive and continue in force an act, entitled, "An act to empower the several county courts therein mentioned to lay a tax annually, not exceeding ——— years, for the purpose of erecting or repairing the court-house, prison and stocks in each county when necessary, and for defraying the

contingent charges of the counties," passed at Fayetteville, 1786; which was read, passed the first time and sent to the House of Commons.

Received from the House of Commons the bill directing the time and places of holding the annual elections in the county of Hyde; and the bill to keep open Rockfish-creek, in Cumberland county, from its mouth to the forks thereof; each endorsed "Read the third time and passed." Also the bill to alter the mode of punishment for horse stealing; and the bill to amend and extend the powers given in an act, entitled, "An act to empower the administrators of Samuel Swann, of New Hanover county, dec. to sell and dispose of part of the real estate of the said Samuel for the payment of his debts, in order to make provision for his family, and also to make conveyances for such part of the real estate as was sold by the said Samuel in his lifetime," each endorsed "Read the second time and passed."

Ordered, That these bills be read; which being read, the first two were passed the third time and ordered to be engrossed, and the latter two the second time and returned.

Received likewise the bill to alter the names of certain persons therein mentioned; and the bill to establish a town at the place fixed upon for the court-house in the county of Surry; each endorsed "Read the second time and passed."

Ordered, That these bills be read; which being read, the first was passed the second, and the latter the third time in this house and returned.

Received likewise the representation of David Miller, endorsed "Referred to Mr. Simpson, Mr. Borden, Mr. Matthews and Mr. Irwin."

Mr. Hargett delivered in the following report:

The committee of propositions and grievances No. 1, to whom was referred the petition and memorial of Allen Jones, report—That it appears to the committee that the said Mr. Jones was, by the General Assembly at Halifax, 1779, elected a Delegate from this State to the Congress of the United States; in consequence of said appointment, Mr. Jones went on to Congress, and there served as a Delegate eight months—That at the time of Mr. Jones's accepting his appointment, no stated salary was fixed for reimbursing the Delegates in Congress the monies by them expended, nor for their trouble in

executing this important business. It also appears that on the return of the said Mr. Jones, he did at the next Assembly lay before them an account of his expenditures, &c., also the sum he had received out of the treasury, which was four hundred and sixty pounds. It also further appears, that by an act of the General Assembly, passed subsequent to Mr. Jones's delegation, the salary of such Delegates was fixed at seventy-five pounds specie per month, and that Dr. Burke, who served as a Delegate at the same time Mr. Jones did, and several others, have been allowed for their services agreeably to the said sum.——Your committee further report, that under the said act Mr. Jones is entitled to seventy-five pounds per month for his services as aforesaid, which was eight months, and amounts to six hundred pounds; and that the State is entitled by Mr. Jones's own acount to four hundred and sixty pounds, by which a balance appears in favour of the said Allen Jones, of one hundred and forty pounds, exclusive of interest.——Your committee for these reasons, and being governed also by motives of justice, are induced to recommend, That the Treasurer be directed to pay unto Allen Jones, the sum of one hundred and forty pounds aforesaid, without interest from the time it become due; your committee being of opinion, that on account of Mr. Jones's delay of application, the State ought not in justice to pay him any interest. Which is submitted.

FRED. HARGETT, Ch.

Resolved, That the house do concur with this report.

Received from the House of Commons the bill to establish an inspection of tobacco at the ferry of Thomas Eaton on Roanoke river. The bill for vesting the property of certain lots of land situated in the town of Tarborough, in Edmund Hall and his heirs. And the bill to empower the county court of Rockingham to lay a further tax to reimburse the Commissioners the money by them expended in erecting the court-house, prison and stocks in said county. Each endorsed "Read the second time and passed."

Ordered, That these bills be read; which being read, were passed the second time in this house and returned.

Received likewise the following message:

Mr. Speaker and Gentlemen:

We agree to ballot for the two Councillors yet to be elected, and the place at which the next Assembly shall be held, this evening, as by you proposed. We nominate for Councillors, William Little and

Griffith Rutherford, Esquires, and for the place at which next Assembly shall be held, the towns of Edenton, Tarborough, New Bern, Wilmington and Fayetteville. Mr. Alston and Mr. Franklin will superintend and conduct the balloting on the part of this house.

The foregoing being read, Ordered, That the following message be sent to the House of Commons:

Mr. Speaker and Gentlemen:

We have added to the nomination for Councillors, Mr. Thomas Eaton, Mr. John Williams, (Caswell) and Mr. Charles Galloway, and Salem to the places named for holding the next Assembly. Mr. Qualls and Mr. Graham will superintend the balloting on the part of the Senate.

Mr. M'Dowall delivered in the following report:

The committee to whom was referred the petition of Edmund Blount, report—That it appears to your committee that Elizabeth Miller, wife of Andrew Miller, formerly a merchant of Halifax town, did sell unto the petitioner, Edumund Blount, five negroes and three of them were afterwards sold by Nicholas Long, Commissioner of confiscation for the district of Halifax.——Your committee are of opinion, that Mr. Blount has omitted bringing forward the necessary vouchers, to establish the allegations in the said petition set forth; and they cannot grant, for the want of the same, the prayer relative thereto. It further appears to your committee, that the petitioner by virtue of his office as Sheriff of Chowan county, did sell public stores in the town of Edenton, for the sum of ninety-three pounds six shillings and ten pence, and paid the same in the currency of this State to Mr. Hunt, then Treasurer.——Your committee are therefore of opinion as to his last allegation, that if the Treasurer finds upon his books, that the petitioner paid the money as aforesaid in lieu of certificates, and that Mr. Hunt, the late Treasurer, has accounted for and paid the same in money to the present Treasurer, that upon the petitioner's paying the said sum in certificates, that the Treasurer be directed to pay the money, with interest from the time he paid the same until the present time. Which is submitted. JOSEPH M'DOWALL, Ch.

Resolved, That the house do concur with this report.

Received from the House of Commons the report of the committee on the petition of Benjamin Cleveland, endorsed "Concurred

with;" a report on the petition of William Sheppard; and a report on the petition of Nimrod Bradley; endorsed "Concurred with;" Which being read, were also concurred with by this house and returned.

Received also the bill for granting to the inhabitants living between the north and south forks of the Yadkin river the privilege of holding separate general musters; and the bill to establish a town at the place fixed upon for the court-house in the county of Stokes; each endorsed "Read the second time and passed." Also the bill to vest a certain piece of land therein described in Sophia Neale, and to authorise the said Sophia Neale and John Hall to make sale and dispose of two other pieces of land in Brunswick county, of the real estate of the late Thomas Neale, Jun., dec., endorsed "Read the third time and passed."

Ordered, That these bills be read; which being read, the two first were passed the second time and returned, and the latter on motion rejected.

Received likewise the bill providing for the exchanging and reissuing the paper currency of this State, and prescribing the manner in which the same shall be done. A bill for dividing Dobbs county. And a bill to restrain all married persons from marrying again, until their former wives or former husbands be dead. Each endorsed "Read the first time and passed."

Ordered, That these bills be read; which being read, the first was on motion rejected, and the last two passed the first time and returned.

Received likewise the bill to amend an act, entitled, "An act to prevent the exportation of unmerchantable commodities," passed at Hillsborough, in the year 1784, endorsed "Read the second time and passed." The bill to empower James Craige, guardian of the orphans of David Craige, dec. to sell and dispose of part of the real estate of the said David Craige for the payment of a debt due by him to the public; and the bill to authorise the Commissioners of the town of Edenton to grant to Dr. Samuel Dickenson a certain water-lot in the said town; endorsed "Read the third time and passed."

Ordered, That these bills be read; which being read, the first was passed the second time in this house and returned, and the latter two the third time and ordered to be engrossed.

Mr. Hargett delivered in the following reports:

The committee of propositions and grievances No. 1, to whom was referred the memorial of Josiah Jackson, report—On information before the committee, it appears that the said Josiah Jackson obtained a specie certificate for his services as a soldier in the militia, for the sum of nine pounds, and that the said certificate has been actually destroyed.—Your committee are therefore of opinion, that the Comptroller be directed to issue another certificate to the said Jackson for the aforesaid sum of nine pounds, should it appear by checks in his office, that a certificate of this denomination hath been granted to the said Josiah Jackson, for his services in the militia aforesaid. Which is submitted. FRED. HARGETT, Ch.

The committee of propositions and grievances No. 1, to whom was referred the petition of Edwin Harris, report—That no evidence appearing to the committee to induce them to believe that the certificate mentioned in the petition was actually destroyed, or that it is not at this time in circulation; they therefore reject the petition. Which is submitted. FRED. HARGETT, Ch.

The committee of propositions and grievances No. 1, to whom the memorial of John Walker was referred, report—That from information before the committee, it fully appears that the allegations set forth in the said memorial are not founded in fact, and that the charges made by the said Walker against the State for the negroes, are unreasonable and unjust; your committee therefore reject the petition. Which is submitted.

FRED. HARGETT, Ch.

The committee of propositions and grievances No. 1, to whom was referred the petition of James Tindal, report—That from evidence it appears to the committee, that altho' the said James Tindal was cast in a suit of ejectment instituted against him by a certain Henry Monger, for lands purchased at the sales of the Commissioners of confiscated property of Salisbury district, he did not set up a proper defence, nor that he has taken legal steps to discover whether the lands by him so purchased were actually confiscated or not, or whether the claim set up by the said Henry Monger was lawful: Your committee therefore reject the petition. Which is submitted.

FRED. HARGETT, Ch.

The committee of propositions and grievances No. 1, to whom was referred the memorial of Robert Martin, report—That from

the information before your committee, it appears that the said Mr. Martin, at the time he purchased the said lands, had not certificates sufficient to comply with the conditions of sale, whereby the Commissioners of confiscated property was by law enjoined to receive money in lieu thereof. It also appears that the warrant mentioned to be deposited in the hands of the Commissioner, was done by a voluntarily act of the petitioner, and in all probability to comply with the requisites of the law under which he purchased the lands; for these reasons your committee are of opinion, that the prayer of the petitioner ought not to be granted. Which is submitted. FRED. HARGETT, Ch.

The committee of propositions and grievances No. 1, to whom was referred the petition of John Hopkins, report—That it appears that the said John Hopkins has been guilty of some ignominious crimes, whereby he has by the law of the land been subjected to corporal punishment.—Your committee are therefore of opinion, that the laws of the State have pointed out means of relief to persons who think themselves injured by the judicial powers thereof, and that the laws of the State is the proper place to apply for redress, and not to the General Assembly; and do reject the prayer of the petition. Which is submitted. F. HARGETT, Ch.

The committee of propositions and grievances, to whom was referred the petition of Winston Caswell, report—That from the face of the petition it appears, that the said petitioner charges the State with the sum of £2,153 8s 5d due to the estate of the late Governor Caswell, deceased, for the depreciation of pay as Governor, while exercising the duties of that office. The said petitioner also states, that he stands charged on the Comptroller's books the sum of nine hundred pounds, and wishes the legislature to allow a sum to the said estate sufficient to balance his accounts with the public, should they not be of opinion that the sum of £2,153 8s 5d ought to be allowed; from which your committee are of opinion, that the said Winston Caswell has brought forward this account merely to enable himself to settle his public debt, and not with a view of doing justice to the heirs of the said Governor Caswell, deceased.—Your committee are further of opinion, that the said Richard Caswell hath been amply reimbursed for his services as Governor of this State; and do therefore reject the prayer of the petition. Which is submitted.

FRED. HARGETT, Ch.

Resolved, That the house do concur with the foregoing reports.

The house adjourned till to-morrow morning, 10 o'clock.

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FRIDAY, December 3, 1790.

Met according to adjournment.

Received from the House of Commons the bill to authorise Henry E. Lutterloh to raise by way of lottery, a sum sufficient to enable him to bring into this State foreigners, who are artisans in various branches of business; and the bill to revive and continue in force an act, entitled, "An act to empower the several county courts therein mentioned to lay a tax annually, not exceeding —— years, for the purpose of erecting or repairing the court-house, prison and stocks in each county when necessary, and for defraying the contingent charges of the counties," passed at Fayetteville, 1786; each endorsed "Read the second time and passed." Also the bill to alter the names of certain persons therein mentioned, endorsed "Read the third time and passed."

Ordered, That these bills be read; which being read, the first two were passed the second time and returned, and the latter the third time and ordered to be engrossed.

Received also the report on the petition of Adam Lawrence, and the report on the petition of George Merrick, each endorsed "Concurred with."

The resignation of John Blount, as a Justice of the Peace for Robeson county, was read and accepted.

Mr. Graham and Mr. Qualls, from the joint balloting for the place of holding the next Assembly, and two Councillors of State, delivered in the following report:—That having executed the business assigned them, they find on casting up the poll, that Griffith Rutherford and William Little, Esquires, are elected Councillors of State—and that no place had a majority of votes for holding the next Assembly.

Resolved, That the house do concur with this report. Whereupon,

Ordered, That the following message be sent to the House of Commons:

Mr. Speaker and Gentlemen:

We propose that the two houses ballot at four o'clock this evening,

for the place of holding the next Assembly, and nominate the towns of Fayetteville, New Bern, Tarborough and Edenton.

On motion of Mr. Hargett, Resolved, That the Treasurer pay unto General Allen Jones the sum of one hundred and forty pounds, current money, agreeable to a report of the committee of propositions and grievances, concurred with, and that the said Treasurer be allowed for the same.

Received from the House of Commons the report of the committee on the petition of Allen Jones, Esq., and the report of the committee on the petition of Edmund Blount, each endorsed "Concurred with."

Received also a resolution declaring that no bill of a private nature shall be received in either house after to-morrow, and a report on the petition of John Willis, Michael Holt and others, endorsed "Concurred with;" which being read, each was concurred with by this house and returned.

Received likewise a report of the committee on the memorial of Daniel Glisson, a report on the petition of William Brown, a report on the petition of Thomas Haslin, and a report on the petition of John Bonds; each endorsed "Concurred with;" which being read, were severally concurred with and returned.

Received also the following message:

Mr. Speaker and Gentlemen:

We propose that the committee to whom is committed the bill for equalizing the land tax, be directed to report thereon on Monday.

Ordered, That the following message be sent to the House of Commons:

Mr. Speaker and Gentlemen:

We agree that the committee appointed to equalize the land tax shall be required to report on Monday next. Mr. Qualls and Mr. Dixon will attend the balloting this evening on the part of the Senate.

Received from the House of Commons the following bills, viz.:— A bill to amend an act, entitled "An act for regulating ordinaries, houses of entertainment and ferries, and other purposes. A bill for the more easy recovery of rents. A bill to establish two places in the county of Caswell for the purpose of holding general musters therein. And a bill to amend the law relative to attachments. Each endorsed "Read the first time and passed."

Ordered, That these bills be read; which being read, were passed the first time in this house and returned.

Received likewise the bill to restrain all married persons from marrying again, whilst their former wives or former husbands are living. The bill to enable the wardens of the poor for the counties of Pasquotank and Carteret to build houses for the reception of the poor of the said counties, and for levying a tax to defray the expence thereof. And the bill to confirm unto Greenbury Sutton an indefeasible title to certain lands therein mentioned, in Perquimans county. Each endorsed "Read the second time and passed."

Ordered, That these bills be read; which being read, were passed the second time and returned.

Mr. Stewart moved for leave and presented a bill to impose a certain fine on any person or persons taking a seat in the General Assembly, who are disqualified by the constitution of this State, to be a member thereof; which was read, passed the first time and sent to the House of Commons.

Received from the House of Commons the following message:

Mr. Speaker and Gentlemen:

We agree to ballot this evening for the place at which the next Assembly shall be held, as by you proposed.

The house adjourned till 4 o'clock, P. M.

Met according to adjournment.

Received from the House of Commons the following message:

Mr. Speaker and Gentlemen:

Mr. Sanders and Mr. Franklin will superintend and conduct the balloting heretofore agreed upon, on the part of this house.

The bill to alter the mode of punishment for horse stealing, was amended by consent of the House of Commons, passed the third and last time, and ordered to be engrossed.

Mr. Hargett delivered in the following reports:

The committee of propositions and grievances No. 1, to whom was referred the memorial of David Dixon, report—That from the deposition of the said David Dixon, it appears that in the year 1780, he furnished the continental troops under the command of General Smallwood, when in this State, with two thousand weight of net beef, and took a receipt from the Commissary accompanying the said troops; which receipt the petitioner suggests he has lost.

but does not say at what time. It further appears that the said David had an opportunity of laying his said claim before the Auditors specially appointed to adjust all such claims, but neglected so to do, for reasons unknown to your committee; they are therefore of opinion that the said claim does not come properly before the General Assembly, and if it did, it is not substantiated by proper testimony, therefore reject it. Which is submitted.

FRED HARGETT, Ch.

The committee of propositions and grievances No. 1, to whom was referred the memorial of John M'Kenzie, report—On evidence before the committee it appears that in the year 1781, Gen. Lillington had the command of a party of militia of this State, stationed near the Great Bridge, on the North East of Cape Fear river—that the British troops had a house on the opposite side of the river, known by the name of Mount Blake. It also further appears, that a small number of officers then in camp, did petition the said General Lillington to give them liberty to burn the house at Mount Blake, immediately after the British evacuated it, but it does not appear that the said petition was sanctioned by the commanding officer.—— Your committee having duly considered the circumstances, are of opinion, that there are a great number of the citizens of this State who labour under the same circumstances as Mr. M'Kenzie does, and that there is a positive law against allowing claims of this nature; for had no such law been in force, Mr. M'Kenzie and all others, who had similar claims, would have had them adjusted by the district Auditors therefore reject the prayer of the petition. Which is submitted. FRED HARGETT, Ch.

The committee of propositions and grievances No. 1, to whom was referred the memorial of Robert Burton, report—That it appears to your committee that the said Robert Burton was appointed superintendant Commissary of the County Commissioners of supplies in the year 1780, and acted as such seven and an half months. It also appears that the said Burton hath settled his accounts with the Comptroller, and has made no charge for the services aforesaid.—Your committee on due deliberation are of opinion, that the law has not pointed out any means for the settling or allowing such claims; therefore cannot grant the prayer of the petition. All which is submitted.

FRED. HARGETT, Ch.

The committee of propositions and grievances No. 1, to whom was referred the petition of Alderson Ellison, report—That on examining the vouchers in support of the said petition, it appears that the said Alderson Ellison become security for Martin Maigher, Captain and owner of a vessel entered with the proper officer at Port Bath, for the payment of duties on the cargo shipped in said vessel, which amounted to £36 7s 4d.—That the said Martin Maigher did not comply with the conditions of the bond by him given to the Collector of Port Bath for the said sum of £36 7s 4d whereupon the Collector entered judgment.—Your committee from these reasons are of opinion, that it was a voluntary act of the said Ellison, and that nothing appears before the committee to shew that any unavoidable accident happened, whereby the said Maigher and Ellison were prevented from complying with the requisites of the law in such case made and provided; they therefore reject the petition. Which is submitted. FRED. HARGETT, Ch.

The committee of propositions and grievances, to whom was referred the petition of William Morgan, report—That from the confession of the petitioner, it appears that he has been convicted of a very base crime, and suffered the penalty of the law. It is likewise set forth in the said petition, that the petitioner is deprived of his liberty in consequence of his committing the said crime. Your committee after duly considering the nature of the grievance, are of opinion that it does not come properly before the legislature, therefore reject the petition. FRED. HARGETT, Ch.

The foregoing reports being read, were concurred with.

Received from the House of Commons the resolution allowing Gen. Allen Jones a sum therein mentioned, endorsed "Concurred with."

Received also the bill for vesting the property of certain lots of land, situated in the town of Tarborough, in Edmund Hall and his heirs. The bill to establish an inspection of tobacco at the ferry of Thomas Eaton on Roanoke river. And the bill to amend an act passed at Hillsborough, in the year 1784, entitled, "An act for extending the navigation of Roanoke river. Each endorsed "Read the third time and passed."

Ordered, That these bills be read; which being read, were severally passed the third time in this house and ordered to be engrossed.

Mr. Dixon and Mr. Qualls, appointed on the part of this house

to superintend the balloting this evening for the place of holding the next Assembly, delivered in the following report—That having performed the duties of their appointment, they find on casting up the poll, that New Bern has a majority of votes as the place at which the next Assembly shall be held.

Resolved, That the house do concur with this report.

Received from the House of Commons a memorial of Jane Pindexter, executrix, and Joseph Williams, executor of Robert Lanier, endorsed "Referred to Mr. Taylor, Mr. Gautier and Mr. Leigh;" which being read, was on the part of the Senate referred to Mr. Clinton, Mr. Phillips, Mr. Macon and Mr. Edwards.

Received also a memorial of John Armstrong, endorsed "Referred to the committee appointed on the memorial of the executors of Robert Lanier;" which being read in this house, was rejected.

Also the petition of Thomas Wright, endorsed "Referred to the committee of propositions and grievances No. 2;" which was read, referred in like manner by this house and returned.

The house adjourned until to-morrow morning, 10 o'clock.

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SATURDAY, December 4, 1790.

Met according to adjournment.

On motion of Mr. Hargett, Resolved, That the Secretary of this State be and he is hereby directed to record in his office a patent granted to Thomas Tyre, for six hundred and forty acres of land, dated the 22d of May, 1741.—Sent for concurrence.

Received from the House of Commons the bill to establish the titles of certain land in Simon, David, William and Jonathan Turner. The bill for building a court-house in the town of Wilmington, for the district of Wilmington. And the bill to empower the county court of Rutherford to lay a further tax for the purpose of building a court-house in said county. The first two endorsed "Read the second," and the latter "the first time and passed."

Ordered, That these bills be read; which being read, were passed the second time and returned.

Ordered, That the bill to regulate and fix the prices for inspecting and coopering tobacco, be committed for amendment to Mr. Qualls, Mr. Stewart, Mr. Philips and Mr. Hill.

The bill to authorise Henry E. Lutterloh to raise by way of lottery, a sum sufficient to enable him to bring into this State foreign-

ers, who are artisans in various branches of business, was read the third and last time and ordered to be engrossed.

Mr. Johnson delivered in the following reports:

The committee to whom the memorial of Griffith John M'Ree was referred, report—That it appears to your committee that the said Griffith John M'Ree, as Commissioner of confiscated property for the district of Wilmington, has a number of suits depending in the courts of this State, which has prevented him from finally settling his accounts with the Comptroller.—Your committee are therefore of opinion, that the Governor be directed to issue to the said Griffith John M'Ree a warrant on the Treasurer, in money, for his commissions on that part of the sales which he has already settled.—Your committee are further of opinion, that no commissions be allowed on property which was not legally confiscated. Which is submitted. CHARLES JOHNSON, Ch.

The committee to whom was referred the memorial of Hardy Murfree, Commissioner of confiscated property for the district of Edenton, report—That it appears to your committee that the said Commissioner has a number of suits depending in the courts in this State for the sales of confiscated property, which has prevented him from finally settling his account with the Comptroller. It further appears that he has received about eighteen hundred pounds in certificates issued by the Commissioners of army accounts in the year 1786, in payment for confiscated property, prior to the passing of any law to invalidate them.——Your committee are therefore of opinion, that the Governor be directed to issue to the said Hardy Murfree a warrant for his commissions, in money, on that part he has already settled for; and further, that the Comptroller be directed to receive the said £1800 certificates, for the sales as aforesaid.——Your committee are further of opinion, that no commissions be allowed on property which was not legally confiscated. Which is submitted. CHARLES JOHNSON, Ch.

The committee to whom was referred the memorial of Ann Blount, report—That it is the opinion of your committee it would be more proper to submit the account of the said Ann Blount, with the vouchers accompanying the same, to the Comptroller, to adjust and liquidate, and make report thereof to the General Assembly.—Which is submitted. CHARLES JOHNSON, Ch.

Resolved, That the house do concur with these reports.

On motion of Mr. Graham, Resolved, That his Excellency the Governor be and he is hereby requested, immediately after the rise of the next and each following session of Congress, to forward to the public Printers of this State, an authenticated copy of all acts of Congress he hath already received, or that he may receive after the rise of such session; and said Printers are hereby required to print one copy of said acts for his Excellency the Governor, one copy for each of the Judges of the superior courts, one copy for the Attorney-General, one copy for the public Treasurer, and one copy for each county in this State, and cause them to be forwarded to the district towns with the acts of the General Assembly; for which the said Printers shall receive a reasonable reward, to be allowed by the General Assembly next following.

Resolved further, That the acts of Congress hereby directed to be printed for each county, shall be lodged with the Clerk of the county court, for the use of the said court, and such other persons in each county as may want information from the same. Sent for concurrence.

The resignation of John Lanier, a Justice of the Peace in Duplin county, was read and accepted.

The bill to empower Prudence Durphie, administratrix, and John Winn and Hugh Carson, administrators of William Durphie, dec., to sell, &c., was read the second time and rejected.

Received from the House of Commons the bill to amend an act for establishing courts of law, and regulating the proceedings therein, and another act, entitled, "An act for giving an equity jurisdiction to the superior courts," endorsed "Read the second time, amended and passed."

Ordered, That this bill be read; which being read, was amended, passed the second time in this house and returned.

Received also the resolution of this house requesting his Excellency the Governor to cause that the acts of Congress be made public in this State, and the report of the committee on the memorial of Mrs. Ann Blount, each endorsed "Concurred with."

The bill to empower the county court of Rockingham to lay a further tax, to reimburse the Commissioners the money by them expended in erecting the court-house, prison and stocks in said

county, was read, amended by consent of the House of Commons, passed the third time and ordered to be engrossed.

Received from the House of Commons a memorial of Farquard Campbell, of Cumberland county, endorsed "Referred to the committee appointed to correct errors in patents;" which was read, referred in like manner by this house and returned.

The bill for the more easy recovery of rents, was read the second time and rejected.

General Armstrong moved for leave and presented a bill to annex part of Dobbs county to Pitt county; which was read, and referred to the committee appointed on the division of Caswell county.

The house adjourned till 4 o'clock, P. M.

Met according to adjournment.

The bill to amend the law relative to attachments, was read the second time and rejected.

Mr. Qualls presented the memorial of John Eaton; which being read, was referred to the committee of propositions and grievances No. 1, and sent to the House of Commons.

Received from the House of Commons a report of the committee on the petition of Hance Bond, endorsed "Read and concurred with;" which was read, concurred with and returned.

Mr. Hill presented the petition of Jeptha Terrell; which was read, referred to the committee appointed to correct errors in patents, and sent to the House of Commons.

Received from the House of Commons the bill to amend an act, entitled "An act to empower the county courts of pleas and quarter-sessions of the several counties in this State to order the laying out public roads, and to establish and settle ferries, and to appoint where bridges shall be built, and to clear inland rivers and creeks," endorsed "Read the second time and passed."

Ordered, That this bill be read; which being read, was passed the second time and returned.

Received also the bill to confirm unto Greenbury Sutton an indefeasible title to certain lands therein mentioned, in Perquimans county; and the bill to restrain all married persons from marrying again whilst their former wives or former husbands are living; each endorsed "Read the third time and passed."

Ordered, That these bills be read; which being read, the first was

on motion rejected, and the latter passed the third time and ordered to be engrossed.

The house adjourned until Monday morning, 10 o'clock.

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MONDAY, December 6, 1790.

Met according to adjournment.

Mr. Macon moved for leave and presented a bill to revive an act passed in the year of our Lord 1715, entitled, "An act for preventing disputes concerning lands already surveyed, and to repeal the fifth section of the said act;" which was read, passed the first time and sent to the House of Commons.

On motion of Mr. Johnson, Ordered, That the following message be sent to the House of Commons:

Mr. Speaker and Gentlemen:

We herewith send you the report of the Comptroller on the accounts of James Blount, which we propose shall be referred to the committee appointed on the petition of Hardy Murfree, Esq., together with the vouchers accompanying it.

The resignation of A. Bryan, as Colonel of the Johnston regiment of militia, was read and accepted. Also the resignations of James Brittain and William Morrison, Justices of the Peace for Burke county.

Received from the House of Commons the report of the committee on the petition of Edwin Harris, the report on the petition of James Tindall, the report on the petition of David Dixon, the report on the petition of John Simmons, the report on the petition of William Morgan, the report on the memorial of John M'Kenzie, the report on the petition of Josiah Jackson, the report on the memorial of Winston Caswell, the report on the petition of Alderson Ellison, the report on the petition of John Hopkins, the report on the memorial of Robert Burton, and the report on the memorial of John Walker; severally endorsed "Read and concurred with."

Received also the bill to impose a certain fine on any person or persons taking a seat in the General Assembly, who are disqualified by the constitution of this State to be a member thereof, endorsed "Read the first time and passed." And the bill to amend an act, entitled, "An act for regulating ordinaries, houses of entertainment and ferries, and other purposes," endorsed "Read the second time and passed."

Ordered, That these bills be read; which being read, were passed the second time and returned.

The bill for building a court-house in the town of Wilmington for the district of Wilmington, and to empower the Justices of New-Hanover county to increase the county tax, was amended by consent of the House of Commons, passed the third and last time, and ordered to be engrossed.

The bill to amend and extend the powers given in an act, entitled, "An act to empower the administrators of Samuel Swann, of New Hanover, Esq., dec., to sell and dispose of part of the real estate of the said Samuel for the payment of his debts," &c.; was read the second time and rejected.

Mr. Bethell, who had leave to withdraw for amendment the bill to authorise William M'Clellan, of the county of Rockingham, to extend a mill-dam across the Mayo river, delivered in the same with the amendments; which was read, passed the first time and sent to the House of Commons.

The bill to empower the county court of Rutherford to lay a further tax, for the purpose of building a court-house in said county, and to empower the Sheriff of said county to collect the sinking fund tax for the year 1786, was on motion of Mr. Singleton, ordered to lie for the consideration of the next Assembly.

Received from the House of Commons a bill to amend an act, entitled, "An act directing the manner of electing Representatives to represent this State in Congress," endorsed "Read the first time and passed." And the bill to amend an act, entitled, "An act to empower the county courts of pleas and quarter-sessions of the several counties in this State to order the laying out public roads, and to establish and settle ferries, and to appoint where bridges shall be built, and to clear inland rivers and creeks, endorsed "Read the third time and passed."

Ordered, That these bills be read; which being read, the first was passed the first time in this house and returned, and the latter the third time and ordered to be engrossed.

Mr. Hargett moved for leave and presented a bill to amend an act, entitled, "An act for establishing a militia in this State," passed at Fayetteville, 1786; which was read, passed the first time and sent to the House of Commons.

The bill to enable the Wardens of the poor for the counties of Pasquotank and Carteret to build houses for the reception of the poor

of the said counties, and for levying a tax to defray the expence thereof, was amended by consent of the House of Commons, passed the third time and ordered to be engrossed.

Received from the House of Commons the report of the committee on the memorial of Hardy Murfree, Esq., the report on the memorial of Griffith John M'Ree, and the report on the petition of Robert Martin, each endorsed "Read and concurred with."

The bill to appoint Commissioners to direct and establish a gap or slope on the mill-dam of Samuel High, at the falls of Neuse river, in Wake county, and to repeal so much of an act, passed at Tarborough in the year 1787, as comes within the meaning of this act, was amended by consent of the House of Commons, passed the third time and ordered to be engrossed.

The bill to establish public buildings in the county of Carteret, was read the second time and rejected.

Received from the House of Commons the bill to repeal an act, entitled, "An act to establish a department for adjusting and liquidating the public accounts of this State and for appointing a Comptroller, and other purposes," endorsed "Read the first time and passed." And the bill to revive and continue in force an act, entitled "An act to empower the several county courts therein mentioned to lay a tax annually, not exceeding three years, for the purpose of erecting or repairing the court-house, prison and stocks in each county when necessary, and for defraying the contingent charges of the counties," passed at Fayetteville, 1786, endorsed "Read the second time and passed."

Ordered, That these bills be read; which being read, the first was passed the second, and the latter the third time in this house and returned.

The bill to establish two places in the county of Caswell for the purpose of holding two general musters therein, was read the second time, passed and sent to the House of Commons.

Received from the House of Commons the following message:

Mr. Speaker and Gentlemen:

We agree that the report of the Comptroller on the accounts of James Blount, &c., be referred to the committee on the memorial of Hardy Murfree, as by you proposed.

On motion of Mr. Hargett,

Resolved, That every committee to whom any bill is committed, be directed to return the same to the house on Wednesday next;

and that every member of the Assembly who has withdrawn for amendment any bill, be directed to return the same to the House to-morrow morning. Sent for concurrence.

On motion of Mr. Macon, Ordered, That the following message be sent to the House of Commons:

Mr. Speaker and Gentlemen:

We propose that the Clerks of the two houses be directed to make up the estimates to include Saturday next, at the rate of twenty shillings per day, and the same for every thirty miles travelling to and from the General Assembly.

Mr. Graham moved for leave and presented a bill directing in what manner the acts of the General Assembly of this State shall be printed in future; which was read, passed the first time and sent to the House of Commons.

Received from the House of Commons the bill to amend an act, entitled, "An act to establish a militia in this State," passed at Fayetteville, 1786, endorsed "Read the first time and passed." And the bill to amend an act, entitled, "An act to prevent the exportation of unmerchantable commodities," passed at Hillsborough, 1784, endorsed "Read the third time and passed."

Ordered, That these bills be read; which being read, the first was passed the second time and returned, and the latter the third time and rejected.

The house adjourned until to-morrow morning, 10 o'clcok.

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TUESDAY, December 7, 1790.

Met according to adjournment.

Ordered, That the following message be sent to the House of Commons:

Mr. Speaker and Gentlemen:

The whole of the recommendations for Justices and Field Officers by you sent us, we have agreed to, that for the appointment of officers in the county of Johnston excepted, which we have thought proper to reject; and have caused an attested copy to be delivered the Governor in order that commissions may issue.

The bill to establish the titles of certain lands in Simon, David, William, Jonathan and Polly Turner, was read the third time, passed and ordered to be engrossed.

Agreeable to the order of yesterday, the bill for equalizing the land tax was called for and read, when, on motion, the same was rejected. The yeas and nays being then required by Mr. M'Dowall, seconded by Mr. Bethell, are as follows, viz.:

For the passage of this bill—Mess. Gillespie, McDowall, Hargett, Qualls, Nesbit, Arnold, Payne, Bethell, Graham, Dixon, Benford, Singleton, Edwards, Stewart and Winston—15.

Against the passage of this bill—Mess. Owen, Bryan, Clay, Bright, M'Allister, Wynn, Hill, Dauge, Philips, Riddick, Skinner, Snead, Keaton, Berger, Macon, Child, Griffin, Barnes, Tyson, Clinton, Courtney, Bell, Mooring, Campbell, Armstrong, Pugh and Johnston—27.

Received from the House of Commons the bill to revive an act passed in the year of our Lord 1715, entitled, "An act for preventing disputes concerning lands already surveyed," and to repeal the fifth section of said act, endorsed "Read the first time and passed." And the bill for subscribing on loan in the office of the Commisioner of the United States, such continental monies, and continental and state securities, as are or may be in the hands of the Treasurer or Comptroller of this State belonging to the public, or which shall be in the hands of either of them on the last day of September next, and for appropriating certain monies as therein mentioned, endorsed "Read the second time and passed."

Ordered, That these bills be read; which being read, the first was withdrawn for amendment by Mr. Hargett, and the latter passed the second time in this house and returned.

Mr. Graham moved for leave and presented a bill for obtaining an accurate map of the State; which was read, passed the first time and sent to the House of Commons.

Received from the House of Commons a report of the committee on the petition of John Hendry, and a report on the petition of John Dauberly, each endorsed "Concurred with;" which was read, concurred with by this house and returned.

Received also a bill to regulate the practice of physic; and a bill to emancipate the persons therein named; each endorsed "Read the first time and passed."

Ordered, That these bills be read; which being read, the first was passed the first time and returned, and the latter on motion rejected.

On motion of Mr. Hargett, Ordered, That the following address

be presented to the honourable Alexander Martin, Esq., first having the approbation of the House of Commons.

To his Excellency Alexander Martin, Esq., Governor, &c.

SIR:

The General Assembly having appointed you Chief Magistrate of this State for the ensuing year, request to be informed, by the return of the gentlemen who will deliver this, when it will be convenient for you to take the oaths of qualification and enter on the duties of your office.

Ordered, That the following message be sent to the House of Commons:

Mr. Speaker and Gentlemen:

The address which accompanies this, we propose shall be presented to the Hon. Alexander Martin immediately, and have appointed for this purpose on our part Col. Hargett and Col. M'Dowall.

The house adjourned till to-morrow morning, 10 o'clock.

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WEDNESDAY, December 8, 1790.

Met according to adjournment.

Mr. Payne moved for leave and presented a bill for the inspection of tobacco on Dan river, on the lands of Thomas Harrison, in Caswell county; which was read, passed the first time and sent to the House of Commons.

The bill directing the Entry-takers as to their duty in office respecting certain cases therein mentioned, was read, passed the second time and sent to the House of Commons.

Mr. Hargett delivered in the following report:

The committee to whom the petition of James Baker of Hertford county was referred, report:—That the petitioner James Baker purchased in the year 1787, of Hardy Murfree, Commissioner of confiscated, property in Edenton district, two tracts of land of three hundred and twenty acres each, which were returned by the Surveyor of Tyrrell county as confiscated, for the sum of three thousand three hundred and sixty pounds, and gave his bond agreeably to law: That the said lands, previous to the sale under Col. Murfree, had been entered by a certain John Hooker and a grant obtained for the same; and in consequence of writ of enquiry, and the verdict of a

jury, adjudged to be the property of the tenants in possession, claiming under the right of the said Hooker. The committee beg leave to remark, that by information received from Col. Murfree, it further appears the said lands were returned as the property of James Craven, dec., father of the present John Craven, a citizen of this State, who informed the Commissioner, that could he find the original registration of the grant for said lands to his father, he should contend for the same as his undoubted right: They further remark, that should Mr. Craven not find the said grant, or should it not appear the said lands had been granted to any person prior to the entry of said Hooker, it is obviously out of the reach of the confiscation laws, and positively the right of the said Hooker or those claiming under him.—The committee therefore, from the foregoing state of facts, and a consequent belief the said lands were not subject to the operation of the confiscation laws, are of opinion and do recommend, that by a resolution of the General Assembly, the Commissioner be directed to dismiss a suit which he hath instituted in the county court of Halifax on the bond of the said Baker, for the purchase money aforesaid, on the said Baker's paying the costs thereof; and either cancel or deliver the said bond to him: And further, that the Comptroller be directed to credit the account of the Commissioner to that amount.—All which is submitted.

FRED. HARGETT, Ch.

Resolved, That the house do concur with this report.

On motion of Mr. Johnson, the house entered into the following resolution:

Whereas it is represented that John Armstrong, late Entry-taker of the western lands belonging to this State, is still greatly indebted and in arrears to the public, and that suit is commenced and now depending for the recovery of such his arrears; and it being also represented that the said John Armstrong, as Entry-taker, did, contrary to his duty in office, suffer entries to be made with him on credit for payment whereof the persons who entered the same gave their bonds for the purchase money or certificates payable to him the said John Armstrong at a future day.

Resolved, therefore, That although this Assembly do disapprove of the conduct of the said John Armstrong in this particular, yet in order that this business may be finally settled and closed, they do hereby authorise and direct the public Treasurer to receive from

him the said John Armstrong, all such bonds by him taken as aforesaid, which he shall properly endorse, and which in the opinion of the Treasurer are good and valid; for the amount of which he shall have credit as for certificates actually paid, in the account by him to be settled with the Comptroller, as Entry taker aforesaid. And,

Resolved, further, That all such bonds, when received, shall be forthwith put in suit by the Treasurer. Sent for concurrence.

On motion of Mr. Hargett, Ordered, That the following message be sent to the House of Commons:

Mr. Speaker and Gentlemen:

We have appointed Mr. Macon and Mr. Hargett on the part of this house, to examine and burn such of the paper money now in the hands of the Treasurer, as is unfit for further circulation.

Mr. Stewart, who had leave to withdraw for amendment the bill to regulate and fix the prices for inspecting and coopering tobacco, deliverd in the same with the amendments; which was read, passed the second time and sent to the House of Commons.

Agreeable to the order of yesterday, the bill to revive and amend an act passed in the year of our Lord 1715 entitled, "An act for preventing disputes concerning lands already surveyed," was read, passed the second time and sent to the House of Commons.

Received from the House of Commons the following message:

Mr. Speaker and Gentlemen:

We herewith send you a message from his Excellency the Governor, with the dispatches therein referred to.

The foregoing being read, together with the message from the Governor, were ordered to lie on the table.

Received likewise the following message:

Mr. Speaker and Gentlemen:

We do not agree to the message proposed by you to be sent to his Excellency the Governor, but propose the one now sent you in lieu thereof. We have appointed Mr. Guion and Mr. Witherspoon, on the part of this House, to wait on his Excellency with the same.

The foregoing being read, Ordered, That the following message be sent to the House of Commons:

Mr. Speaker and Gentlemen:

We agree to the address by you proposed to be presented to the Hon. Alexander Martin, in lieu of the one entered into by this House.

Received from the House of Commons the bill to increase the jurisdiction of the county courts in this State, "Read the first time and passed."

Ordered, That this bill be read; which being read, was passed the first time in this house and returned.

Received from the House of Commons the following message:

Mr. Speaker and Gentlemen:

We propose that you reconsider the recommendation made in this house for officers in Johnston county, and concur therewith.

Ordered, That the following message be sent to the House of Commons:

Mr. Speaker and Gentlemen:

We do not agree to reconsider the recommendations for officers in Johnston county.

Received from the House of Commons the petition of Wm. Lord, endorsed "Referred to the committee of propositions and grievances No. 1;" which being read, was on motion rejected.

A reconsideration of the reports of the present Assembly in favour of Hardy Murfree and Griffith John M'Ree, being moved for by Mr. Hargett, and carried, it was

Ordered, That the following message be sent to the House of Commons:

Mr. Speaker and Gentlemen:

This house from a belief that the reports of a committee of the present Assembly in favour of Col. Murfree and Major M'Ree are erroneous, have reconsidered them, and now propose (should the measure meet your concurrence) that they be committed to a special committee, and have appointed Mr. M'Dowall, Mr. Courtney and Mr. Owen.

The bill for levying a tax in the district of New Bern for repairing the jail of said district, was read the first time and passed.

Mr. Johnson delivered in the following report:

The committee on the report made by the Comptroller on the petition of Ann Blount, report—That on strict examination it appears that the account of the said James Blount is fairly stated, and the charges therein mentioned properly vouched for: It also appears that the said Mr. Blount did advance for the use of the public, monies to the amount of three hundred and eighty-five pounds

twelve shilings and ten pence, and also articles of provisions and his pay as Colonel of the militia in actual service to the amount of one hundred and twenty pounds nine shillings and three pence.—Your committee on considering the circumstances are of opinion, that the Treasurer be directed to pay the sum of three hundred and eighty-five pounds twelve shillings and ten pence, being the amount of monies actually advanced by the said James Blount for the use of the public; and that the Comptroller be directed to issue a certificate for the aforesaid sum of one hundred and twenty pounds nine shillings and three pence, being the amount of his pay for personal services as Colonel of the militia under the command of Gen. Gregory, and supplies of provisions furnished the troops when in the service of this State.—Which is submitted.

CH. JOHNSON, Ch.

Resolved, That the house do concur with this report.

The house adjourned till to-morrow morning, 10 o'clock.

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THURSDAY, December 9, 1790.

Met according to adjournment.

Received from the House of Commons the following messages:

Mr. Speaker and Gentlemen:

We agree that the reports on the petition of Col. Murfree and Major M'Ree, be committed to a special committee as by you proposed; and have for this purpose appointed Mr. Polk, Mr. Person, Mr. Macon, Mr. Mebane, Mr. Smith and Mr. Jones on our part.

Mr. Speaker and Gentlemen:

We herewith send you a message of this day's date from his Excellency the Governor giving information of the time it will be convenient for him to attend on the General Assembly in order to take the oaths of qualification. We have on the part of this house appointed Mr. Smith and Mr. Polk to attend his Excellency from his lodgings.

The foregoing being read, Ordered, That the following message be sent to the House of Commons:

Mr. Speaker and Gentlemen:

Mr. Graham and Mr. Wynn, will on the part of this house, wait

on and conduct the honourable Alexander Martin, Esq. into the presence of the General Assembly, in order for his qualification.

Mr. Hargett presented the petition of Joseph Green, Esq., which was read, referred on the part of this house to Mr. Hargett, Mr. Dixon and Mr. Clinton, and sent to the House of Commons.

The bill to establish two places in the county of Caswell for the purpose of holding two general musters therein, was read the third time, and passed and ordered to be engrossed.

Received from the House of Commons the following report:

The committee to whom the bill for forming the western parts of Burke and Rutherford counties into a separate county, was referred, report—That the remote situation of the inhabitants of said counties from their respective court-houses, who reside west of the mountains and within the limits ascertained in the said bill, the extreme difficulty of attending courts, musters, &c., in the winter season, passing through mountains sixty or seventy miles, are grievances which in the opinion of the committee merit the attention of the legislature and ought to be remedied: Wherefore they commend the said bill passed into a law. LEVI DAWSON, Ch.

The foregoing being read, and the question taken, "Will the house concur with this report?" there appeared an equal number for and against a concurrence; it then devolved on the Speaker to decide the question, who gave his vote in the affirmative: Whereupon, the yeas and nays were required by Mr. Macon, seconded by Mr. Bethell, and are as follows, viz.:

For concurring with this report—Mess. Owen, Gillespie, Bright, M'Dowall, M'Allister, Nesbit, Berger, Child, Bethell, Barnes, Tyson, Clinton, Graham, Dixon, Courtney, Singleton, Edwards, Stewart, Winston—19.

Against concurring with this report—Mess. Bryan, Clay, Hargett, Qualls, Wynn, Hill, Dauge, Philips, Riddick, Skinner, Keaton, Macon, Payne, Griffin, Benford, Bell, Armstrong, Mooring, Pugh—19.

So the report was concurred with and sent to the House of Commons.

Received from the House of Commons the bill to amend an act, entitled, "An act for establishing courts of law, and for regulating the proceedings therein;" and another act, entitled, "An act for giving an equity jurisdiction to the superior courts;" in which bill is the following clause, viz.:

"And be it further enacted, That each of the Judges of the said courts shall be allowed the sum of eight hundred pounds annually, in full compensation for all services; and in case the said Judges, or either of them, shall fail to attend at any of the said courts, upon such failure the sum of seven pounds per day shall be deducted, for every day they shall be absent during each term, sickness or other unavoidable accidents excepted."

It was moved by Mr. Stewart, seconded by Mr. Singleton, that the words "eight hundred pounds annually" be struck out, and a less sum inserted; this being objected to, and the question called for and taken thereon, was negatived: Whereupon, the yeas and nays being required by Mr. Stewart, are as follows, viz.:

For the clause as it stands in the bill—Mess. Owen, Gillespie, Clay, Bright, M'Dowall, Hargett, Qualls, Wynn, Hill, Dauge, Groves, Riddick, Skinner, Snead, Keaton, Macon, Payne, Child, Griffin, Bethell, Barnes, Dixon, Courtney, Benford, Campbell, Armstrong, Johnson.—27.

For amending this clause—Mess. M'Allister, Nesbit, Philips, Arnold, Berger, Tyson, Clinton, Graham, Bell, Singleton, Edwards, Mooring, Stewart, Pugh and Winston—15.

Received from the House of Commons the following message:

Mr. Speaker and Gentlemen:

We have received information of the death of Mr. Richard Grist, one of the members of this House, and propose that the members of the two houses attend his corpse to the place of interment, at four o'clock to-morrow evening.

The foregoing being read, Ordered, That the following message be sent to the House of Commons:

Mr. Speaker and Gentlemen:

We lament the death of Mr. Grist, a member of your house, and will attend his interment agreeable to your request.

Received from the House of Commons the following message:

Mr. Speaker and Gentlemen:

We propose that a conference of three members of each house be had, in order to agree upon the necessary amendments to be made in the bill directing the manner in which the real soldier or honest claimant, among those who had military accounts settled at Warrenton, 1786, shall obtain certificates, and making provision for such

claimants whose accounts are yet unsettled, and have appointed Mr. M'Dowall, Mr. Leigh and Mr. Person.

The house taking the foregoing into consideration,

Ordered, That the following message be sent to the House of Commons:

Mr. Speaker and Gentlemen:

Mr. Hargett, Mr. M'Dowall and Mr. Dixon, will on the part of this house act with the gentlemen by you named, to confer and amend the bill relative to fraudulent certificates.

Mr. Qualls presented the petition of James Carstaphin; which was read, referred to the committee appointed on the petition of Joseph Greene, and sent to the House of Commons.

Mr. Hargett delivered in the following reports:

The committee of propositions and grievances, to whom was referred the petition of Thomas Turner, report—That on duly considering the nature of the claim, and the testimony necessary to support the charges therein contained, your committee are of opinion, that the vouchers presented are not sufficient to support the claim; therefore reject it.—Which is submitted.

FRED. HARGETT, Ch.

The committee of propositions and grievances No. 1, to whom was referred the petition of Michael Montgomery, report—That by the Clerk's certificate, corroborated by the testimony of the said Michael, it appears to your committee, that the said Michael was a Collector of the district of Richmond, in the county of Caswell, in the year 1783: That he had returned to him as Collector goods, wares and merchandise to the amount of £1315 12s. on which he collected only two and an half per cent as directed by the law, and not knowing there was any other law under which duties were to be collected; but when the said Collector made a settlement with the Sheriff of the county, he charged him with five per cent. on the aforesaid amount, whereby he was obliged to advance out of his own pocket the sum of £24 2s 9d for duties more than he had collected, which sum was paid into the treasury: That the duties on the aforesaid sum of £1315 12s at five per cent. amounts to £65 15s 7d. Your committee further report, that goods, &c., included the aforesaid sum to the amount of £965 12s 7d were such as the law laid a duty of two and an half per cent. only; which amounts to £24 2s 9d but at five per cent. to

£48 5s 6d, which sum the said Collector actually did pay.—Your committee on considering the circumstances, are of opinion that the said Michael Montgomery has paid the sum of £24 2s 9d into the treasury, more than he of right ought to have done, and do recommend that the Treasurer be directed to refund him that sum. Which is submitted.

FRED. HARGETT, Ch.

The foregoing reports being read, were concurred with.

Mr. Graham presented the memorial of Charles Bruce; which was read, referred to the committee on the petition of Hardy Murfree, and sent to the House of Commons:

Mr. Hargett delivered in the following reports:

The committee of propositions and grievances, to whom the petitions of Richard Walton, Henry Swink, John Dermed, Gilbert Clarke, John M'Lean, Hector M'Lean, Daniel Munro, John Smith and Stephen Brooks, were referred, report—That on enquiry it appears that the claims mentioned in the said petitions, are such as ought to have been laid before the Board of Auditors, and if just, will be provided for by a bill now on its passage respecting all such claims.—Your committee therefore can grant no other relief.—Which is submitted. FRED. HARGETT, Ch.

The committee of propositions and grievances No. 1, to whom the petition of John Ray, was referred, report—That on enquiring into the nature of the said claim, your committee are of opinion, that the said John Ray had an opportunity to present his claim to the Board of Auditors; they are also of opinion that should the claim appear just, it will come within the meaning of the bill now on its passage making provision for liquidation of all claims of this nature; therefore can grant no other relief.—Which is submitted.

FRED. HARGETT, Ch.

The committee of propositions and grievances No. 1, to whom was referred the petition of John Eaton, report—That on strict enquiry your committee are of opinion, that the certificate alluded to in the said petition, was paid by Benjamin Exum when Treasurer of New Bern district; and that the said Benjamin hath since fraudulently put the said certificate into circulation, for which reason your committee reject the petition.—Which is submitted.

FRED. HARGETT, Ch.

The committee of propositions and grievances No. 1, to whom was referred the petition of Mary Cheshire, report—That on duly considering the said petition, your committee are of opinion it does not come properly before the legislature of this State; and if it did, the testimony in support of the claim appears altogether insufficient, therefore reject the petition.—All which is submitted.

FRED. HARGETT, Ch.

The committee of propositions and grievances No. 1, to whom was referred the petition of Andrew Hampton, report—That by the deposition of Mr. Morrison, late Sheriff of Rutherford county, it appears that the said Andrew Hampton did, in the recess of the superior court of Morgan district, deliver to him the said William, then Sheriff of Rutherford county, a certain Garret Smithers, for whom the said Andrew Hampton was bound in recognizance for his appearance at the next superior court to be held for said district; upon which the said Sheriff put him the said Smithers into close gaol, and that previous to the sitting of the court the culprit made his escape. It also appears by a certificate from the Clerk of the court, that in consequence of the said Garret Smithers failing to appear, the recognizance became forfeited, and the fine was remitted by the court to the sum of twenty-five pounds, for which the said Andrew is liable.—Your committee on considering the circumstances, do recommend that he be released from the payment of the said fine of twenty-five pounds.—Which is submitted.

FRED. HARGETT, Ch.

Resolved, That the house do concur with these reports.

Received from the House of Commons a bill for raising a revenue for the payment of the civil list, and contingent charges of government; and a bill for the relief of Thomas Ridge; each endorsed "Read the first time and passed."

Ordered, That these bills be read; which being read, the first was passed the second, and the latter the first time in this house and returned.

The bill to amend an act, entitled, "An act for establishing courts of law, and for regulating the proceedings therein," and another act, entitled, "An act for giving an equity jurisdiction to the superior courts," was amended by consent of the House of Commons, passed the third time and ordered to be engrossed.

The house adjourned till to-morrow morning, 10 o'clock.

FRIDAY, December 10, 1790.

Met according to adjournment.

Received from the House of Commons the following message:

Mr. Speaker and Gentlemen:

We propose that the General Assembly proceed to ballot to-morrow, at 4 o'clock in the afternoon, for the additional Judge and Solicitor-General; and nominate for Judge, John Hay, Waightstill Avery and Adlai Osborne, Esquires—and for Solicitor-General, Spruce M'Kay, William R. Davie, John Haywood and Lewis L. Taylor, Esquires.

The foregoing being read, Ordered, That the following message be sent to the House of Commons:

Mr. Speaker and Gentlemen:

We do not agree to your proposition for balloting to-morrow evening, for a Judge and Solicitor-General but propose that that business be proceeded on this evening, and approve of your nominations. We also propose that an Agent for settling the accounts of this State with the United States, to supply the place of Hugh Williamson, Esq., and first and second Major of artillery, be balloted for at the same time; and name John Benford and William J. Dawson.

On motion of Mr. Johnson, Ordered, That the following message be sent to the House of Commons:

Mr. Speaker and Gentlemen:

W propose that the act of the Virginia Assembly, relative to cutting a canal from this State to that, be committed to a special committee, and have appointed Mr. M'Dowall, Mr. Macon and Mr. Johnston.

Received from the House of Commons the following message:

Mr. Speaker and Gentlemen:

We agree to your proposition for appointing a committee to receive from the Treasurer the money unfit for circulation, and to burn the same, and have for this purpose appointed Mr. Scull, Mr. Lock, Mr. Polk and Mr. Sanders.

Received also a report of the committee on the petition of Thomas Wright, endorsed "Concurred with;" which was read, concurred with by this house and returned.

Mr. Clinton delivered in the following report:

The committee on the excuses of such members of the Senate as did not attend the present General Assembly agreeable to law, report

—That Mess. Charles Johnson, Richard Singleton, Joseph Winston, Burwell Mooring, Gideon Edwards, Francis Pugh, James Armstrong, Joseph Stewart, John A. Campbell and John Humphries, appeared before the committee, and upon oath rendered such excuse for their non-attendance, as your committee deem sufficient to exonerate them from the penalty inflicted by law. Which is submitted.

RICHARD CLINTON, Ch.

Resolved, That the House do concur with this report.

Received from the House of Commons the bill to amend an act, entitled, "An act directing the manner of electing Representatives to represent this State in Congress," endorsed "Read the second time and passed." And a bill for altering the time of holding the several county courts of pleas and quarter-sessions therein mentioned, endorsed "Read the first time and passed."

Ordered, That these bills be read; which being read, the first was amended, passed the second, and the latter the first time and returned.

Received also a report of the committee of claims on the account of Francis Bain, John Hall, &c., endorsed "Concurred with;" which was read, concurred with by this house and returned.

Received likewise the following messages:

Mr. Speaker and Gentlemen:

We agree that the act of the Assembly of the State of Virginia to amend an act for cutting a canal, &c., be committed as by you proposed. We have for this purpose on our part appointed Mr. Jones Mr. Taylor, Mr. Person, Mr. Leigh and Mr. Polk, a committee.

Mr. Speaker and Gentlemen:

We agree to ballot this evening, instead of to-morrow evening, as by you proposed, but do not agree to ballot for an Agent in the room of Hugh Williamson, nor for the officers of artillery. We further nominate for Judge, William Cumming, Esq.

Ordered, That the following message be sent to the House of Commons:

Mr. Speaker and Gentlemen:

This house, from a belief that the sum of twenty shillings per day, is inadequate to the expences and service of the members of the present Assembly, propose that the Speakers of the two houses be allowed at the rate of thirty and the members twenty-five shillings per day;

and after the same rate for every thirty miles travelling to and from. We have rejected your proposition relative to making up the estimates to include Monday, but propose Wednesday next.

A concurrence to the above message being objected to by Mr. Graham, and a division of the house taken thereon was carried in the affirmative: Whereupon the yeas and nays being required by Mr. Owen, seconded by Mr. M'Dowall, are as follows:

For agreeing to the above message—Mess. Johnson, Lanier, Gillespie, Bright, Child, Hargett, M'Callister, Qualls, Hill, Dauge, Skinner, Snead, Berger, Macon, Griffin, Clinton, Dixon, Benford, Webb, Bell, Singleton, Mooring, Campbell, Armstrong, Pugh.—25.

For not agreeing to this message—Mess. Owen, Bryan, Clay, M'Dowall, Nesbit, Wynn, Phillips, Riddick, Groves, Keaton, Payne, Bethell, Barnes, Stewart, Tyson, Graham, Courtney, Edwards, Winston.—19.

So the motion was agreed to and sent to the House of Commons.

On motion of Mr. Macon, Resolved, That his Excellency the Governor be requested to transmit to the Executive of the commonwealth of Virginia, an attested copy of an act passed this present Assembly entitled, "An act for cutting a navigable canal from the waters of Pasquotank river in this State, to the waters of Elizabeth river in the State of Virginia."—Sent for concurrence.

Received from the House of Commons the bill to amend an act, entitled, "An act for establishing a militia in this State," passed at Fayetteville, 1786. The bill to regulate and fix the prices for inspecting and coopering tobacco. And the bill to amend an act, entitled, "An act directing the mode of raising a fund in the several ports of this State for the support of sick seamen." Each endorsed "Read the second time and passed."

Ordered, That these bills be read; which being read, the first two were passed the third and the latter the second, time in this house and returned.

On motion of Mr. M'Dowall the house entered into the following resolution:

Whereas on the report of a committee at Hillsborough, in 1784, concurred with by both houses of the General Assembly on the petition of Robert Rowan, Esq., making him allowance for his services as Superintendent-Commissary for the district of Wilmington.—And the said Robert Rowan did apply to the Comptroller for a certificate

in payment for the said services, but for the want of the journals the Comptroller did not settle the same: Wherefore,

Resolved, That the Comptroller do issue a certificate to the said Robert Rowan agreeably to the said report, if he should find on the settlement of Mr. Rowan's account that any balance is due to him.

The bill for annexing part of the county of Wilkes to the county of Surry, was read the first time and rejected.

On motion, Ordered, That Mr. Payne have leave to absent himself from the service of this house after to-morrow, during the remainder of the session.

The house adjourned till 4 o'clock, P. M.

Met according to adjournment.

On motion, Ordered, That the following message be sent to the House of Commons:

Mr. Speaker and Gentlemen:

We are now ready to ballot, and have appointed Mr. Courtney and Mr. Phillips to superintend the same on behalf of this house.

Received from the House of Commons the following message:

Mr. Speaker and Gentlemen:

We add to the nomination for a Judge, Spruce M'Kay and John Sitgreaves, Esquires; and withdraw from the nomination for Solicitor, the name of Mr. M'Kay.

Received also the following message:

Mr. Speaker and Gentlemen:

We have appointed Mr. Alston and Mr. Scull to superintend and conduct the balloting on the part of this house. Mr. Sitgreaves's name, as Judge, is withdrawn.

The bill for raising a revenue for the payment of the civil list and continental charges of government for year 1791, and to repeal an act, passed at New Bern, 1784, entitled, "An act for raising a public revenue for the support of government, and to repeal an act, entitled, An act to suppress excessive gaming," was read the second time, amended, and sent to the House of Commons.

Adjourned until to-morrow morning, 9 o'clock.

SATURDAY, December 11, 1790.

Met according to adjournment.

Mr. Courtney and Mr. Phillips, appointed in behalf of this house to superintend the balloting for an additional Judge and Solicitor-General, delivered in the following report—That having executed the business to them committed, they find on casting up the poll, that Spruce M'Kay, Esq., is elected Judge by a majority of votes; and that John Haywood, Esq., is appointed Solicitor-General.

Resolved, That the house do concur with this report.

On motion, Ordered, That Mr. Webb have leave to absent himself from the service of this house during the remainder of the present session.

On motion of Mr. Macon, the house entered into the following resolution:

Resolved, That Jesse Lester, formerly a Justice of the Peace for the county of Surry, be recommended to be added to the commission of the peace for Stokes county.

Mr. Hargett delivered in the following report:

The committee appointed to correct errors in patents, to whom the memorial of Farquer Campbell was referred, report—That from the testimony of sundry persons, it appears to your committee that the said memorialist was suspected to be a disaffected person during the late contest between the United States and Great Britain, and was accordingly taken up under the said suspicion, and sent to Halifax—That the Convention at Halifax, out of policy, had him sent to the northward, where he remained until April 1778, at which time he was permitted to return to this State and take the oath of allegiance, and behaved himself afterwards as a friend to the interest of the United States, and as a good citizen thereof: Therefore, after maturely considering the facts aforesaid, and the evidence relative thereto, your committee are of opinion, that the said Farquer Campbell was justifiable in his behaviour as aforesaid, and further that he be entitled to all the privileges and immunities that other good citizens of this State are entitled to. Which is submitted.

FRED. HARGETT, Ch.

Resolved, That the house do concur with this report.

Received from the House of Commons a resolution requesting his Excellency the Governor to grant a pardon to sundry persons within

the counties of Pitt, Edgecombe and Martin; which was read, concurred with and returned.

Received from the House of Commons the following message:

Mr. Speaker and Gentlemen:

We agree to your proposition for making up the estimate of allowances to the members of the General Assembly.

The bill to erect the western parts of Burke and Rutherford counties into a separate and distinct county, was read the first time in this house, passed and sent to the House of Commons.

Received from the House of Commons the following message:

Mr. Speaker and Gentlemen:

We herewith send for your concurrence resolutions reported by a special committee of this house, which we propose shall be transmitted to the Senators from this State in the Congress of the United States—These resolutions we propose in lieu of the former on that subject.

The foregoing being read, together with the resolutions alluded to, Ordered, That the following message be sent to the House of Commons:

Mr. Speaker and Gentlemen:

We will concur with the resolutions of your house reported by a committee, relative to our Senators in Congress, provided you will agree to make therein the following amendments, viz.: That the preamble be deled, and the following inserted, "Whereas the secrecy of the Senate of the United States, the alarming measures of the late session of Congress, and the silence observed by the Senators from this State in not corresponding with the Legislature or Executive thereof, strongly impress this General Assembly with the necessity of declaring their sentiments thereon."—That the resolution directing the route of the mail, be struck out, and the following inserted, "Resolved, That the Senators from this State be, and they are hereby strenuously enjoined to exert themselves to effect an alteration in the present route of the mail, or to establish another general post through the interior parts of this State, by the way of Halifax. Warrenton, Hillsborough, Salisbury and Charlotte, so as to give that satisfaction which is not now experienced, but which is essential in such a government as that under which we now exist."—That the last resolution in the report be amended by striking out from the

word "each," in the last line thereof, and insert "of the states of Virginia, South-Carolina and Georgia."

Received from the House of Commons a report of the committee on the petition of William M'Laine, endorsed "Concurred with;" and the report of the committee on the communications made by Dr. Williamson and Abishai Thomas, Esq., which were read, concurred with and returned.

Received also the bill for the inspection of tobacco on Dan river, on the lands of Thomas Harrison, in Caswell county; and the bill for levying a tax in the district of New Bern, for repairing the gaol of the district; each endorsed "Read the second time and passed."

Ordered, That these bills be read; which being read, the first was passed the second time and returned, and the latter on motion rejected.

Received likewise a report of the committee on the petition of William Dry, endorsed "Concurred with;" which being read, was on motion rejected: Whereupon, on motion of Mr. Hill, the house resolved as follows:

Whereas it has been made appear to this General Assembly, that the Treasurer, at the last superior court held for the district of Hillsborough, on a citation against William Dry, Entry-officer of Brunswick county, took judgment against the said Dry; and it also appearing that the indisposition of the said Dry prevented his attendance agreeable to the said situation: Therefore,

Resolved, That the said William Dry shall fully and finally settle and account for all monies and certificates by him received in virtue of his office aforesaid, and for which he is liable and accountable, together with all costs on the said suit, on or before the sixth day of April next; that he shall be fully exonerated from the forfeiture incurred as aforesaid; and that the Treasurer be directed to stay execution for the same until after the next superior court for the district of Hillsborough.

Received from the House of Commons a report of the committee on the letter from the Governor of Virginia; and a report of the committee on the act of the legislature of Virginia relating to cutting a canal; each endorsed "Concurred with;" which were read, concurred with and returned.

Received also the report of the committee on the memorial of Farquer Campbell, endorsed "Concurred with."

The bill to amend an act, entitled, "An act directing the mode

of raising a fund in the several ports of this State for the support of sick seamen, and the manner of appropriating the same," passed at Fayetteville, 1789, was read, passed the third and last time, and ordered to be engrossed."

Received from the House of Commons the bill to increase the jurisdiction of the county courts in this State, and the bill for the inspection of tobacco on Dan river, on the lands of Thomas Harrison, in Caswell county; each endorsed "Read the second time and passed."

Ordered, That these bills be read; which being read, the first was passed the third, and the latter the second time in this house and returned.

Received likewise the resolution recommending to be added to the commission of the peace for Stokes county, Jesse Lester; endorsed "Concurred with."

The house adjourned until Monday morning, 9 o'clock.

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MONDAY, December 13, 1790.

Met according to adjournment.

On motion of Mr. Johnson, the house entered into the following resolution:

Whereas many claims have been allowed by the General Assembly, the vouchers of which are lodged in the offices of their Clerks: and as many of them have been allowed for services, and should therefore be charged to the United States:

Resolved, therefore, That the Comptroller shall be, and he is hereby directed and required to examine the papers and vouchers lodged in the offices of the said Clerks, and collect therefrom all such proofs and vouchers as he shall judge proper, or may tend to establish claims of this State against the United States; and shall transmit them as soon as possible, with a copy of the account which he shall raise upon them, together with all such accounts and charges as are not yet forwarded to our Agent or Agents appointed to settle the accounts of this State with the United States; and that the Clerks of the Assembly are hereby required to deliver to the Comptroller all such papers and vouchers as he may require for the purposes above mentioned.

On motion of Mr. Macon, Ordered, That the following message be sent to the House of Commons:

Mr. Speaker and Gentlemen:

We have appointed Col. Hargett, on the part of this House, to contract with the printer for striking off sixty copies of the act for amending the court system for the information of the members.

On motion of Mr. Macon, Resolved, That his Excellency the Governor be requested to give information to Spruce M'Kay, Esq., of his being appointed one of the Judges of the superior court of law and equity; also to John Haywood, Esq., of his being appointed Solicitor-General—and commission them accordingly.

Received from the House of Commons the following reports, viz. The report of the Committee on the petition of Michael Montgomery, the report on the petition of John Ray, the report on the petition of Mary Cheshire, the report on the petition of David Baker, the report on the petition of John Eaton, the report on the petition of Richard Walton and others, the report on the petition of Thomas Turner, the report on the petition of Andrew Hampton, the report on the petition of James Baker, the resolution in favour of Robert Rowan, and the resolution requesting the Governor to transmit to the Executive of Virginia a copy of the act for cutting a canal from the waters of Pasquotank river in this State, to the waters of Elizabeth river in the State of Virginia; severally endorsed "Read and concurred with."

On motion of Mr. Hargett, the house resolved as follows, to-wit:

Whereas by the several committees of the sessions of 1788 and 1789, the accounts of Joseph Leech, Esq., late Commissary of prisoners, were examined, and they reported a balance due to the said Leech of six hundred and twenty pounds fifteen shillings and six pence in certificates: Therefore,

Resolved, That the Comptroller do issue to the said Joseph Leech a certificate for the said sum of six hundred and twenty pounds fifteen shillings and six pence, bearing date from the time of his settling his accounts with the said Comptroller.—Sent for concurrence.

Received from the House of Commons a report of the committee for receiving from the Treasurer and burning the ragged money, a report on the petition of Benjamin Boyd, a report on the petition of John Wilson, a report on the petition of Joseph Blount, a report on the memorial of Charles Bruce, a resolution directing the Attorney-General to foreclose certain mortgages, and a resolution directing the Governor relative to allowances hereafter to be made widows and

orphans of deceased officers; endorsed "Concurred with;" which were read, severally concurred with by this house and returned.

Received also the following message:

Mr. Speaker and Gentlemen:

We cannot by any means agree to the amendments by you proposed to be made in the resolutions entered into by this house to be transmitted to the Senators of this State in the Congress of the United States; and in order that they may be accommodated and made to come up fully to the wishes of the two houses, we propose that a committee of conference be appointed who shall agree upon the amendments, if any are necessary to be made therein; and for this purpose, have appointed Mr. Macon, Mr. Taylor, Mr. Jones, Mr. Polk, Mr. Person, and Mr. M'Dowall.

The foregoing being read, Ordered, That the following message be sent to the House of Commons:

Mr. Speaker and Gentlemen:

We have received and considered of your message proposing a committee of conference on the resolutions respecting our Senators in Congress, to which we do not agree, but again submit them to your consideration.

Received from the House of Commons a letter from Abishai Thomas, enclosing his account as Agent, endorsed "Referred to the Comptroller for settlement;" which was read, referred in like manner by this house and returned.

Received also a resolution relative to the troops raised for the protection of Davidson county, and a report of the committee on the petion of Joseph Leech, Esq., endorsed "Concurred with;" which were read, concurred with by this house and returned.

The bill for the relief of Thomas Ridge, was read the third time, passed and ordered to be engrossed.

Received from the House of Commons the report of the committee on the petition of William Cook, and the resolution of this house in favor of William Dry, each endorsed "Concurred with;" which being read, the first was concurred with and returned.

The bill for altering the time of holding the several county courts of pleas and quarter-sessions therein mentioned, was read the second time, passed and sent to the House of Commons.

The house adjourned till to-morrow morning, 10 o'clock.

TUESDAY, December 14, 1790.

Met according to adjournment.

Received from the House of Commons the following message:

Mr. Speaker and Gentlemen:

We will agree to the two first amendments by you proposed to the resolutions of this house intended to be transmitted to the Senators from this State in Congress, provided the other resolutions stand as sent to you from this house.

The foregoing being read, Ordered, That the following message be sent to the House of Commons:

Mr. Speaker and Gentlemen:

We now agree to the resolutions of your house relative to the Senators from this State in Congress agreeable to your last message on that head.

Received from the House of Commons a message from his Excellency the Governor, enclosing a return of the militia of this State; which being read, was ordered to be filed.

Received also the resolution of this House requesting his Excellency the Governor to give information to Spruce M'Kay and John Haywood, Esquires, of their late appointments, endorsed "Concurred with."

On motion of Mr. Graham, Resolved, That the Senators from this state in the Congress of the United States, use their utmost endeavours to cause the Commissioner of Loans for the State of North Carolina to hold his office at the town of Hillsborough in the said State, that the Commissioner may have free access to the check books, in possession of the Treasurer and Comptroller of this State.—Sent for concurrence.

The yeas and nays on the concurrence of this resolution being required by Mr. Johnson, seconded by Mr. Skinner, are as follows, to-wit:

For concurring with the resolution—Mess. Owen, Lanier, Bryan, Gillespie, M'Dowall, Qualls, Nesbit, Hill, Phillips, Groves, Berger, Macon, Payne, Griffin, Bethell, Tyson, Clinton, Graham, Courtney, Benford, Singleton, Winston, Edwards, Mooring.—24.

Against this resolution—Mess. Bright, Wynn, Dauge, Riddick, Skinner, Johnson, Bell, Campbell, Armstrong, Pugh—10.

Received from the House of Commons the following message:

Mr. Speaker and Gentlemen:

We have received the message of your house proposing amendments to the reports in favour of Hardy Murfree and Griffin John M'Ree, Esquires, with which we have agreed and made the reports conformable thereto, and now send them for your concurrence.

The reports above alluded to were now concurred with by this house and returned.

Mr. Campbell delivered in the following report:

The committee to whom was referred the petition and bill for annexing part of Onslow county to Jones county, report—That the petitioners; being but 21 in number, set forth that they reside much farther from Onslow court-house than Jones court-house, and therefore pray to be annexed to Jones county.—Your committee after making due enquiry therein, find that their complaint is not well founded, as the greatest part of the petitioners reside from 15 to 21 miles from Onslow court house, and none of them more than 25 miles; and that the distance for them to Jones court-house is as great if not greater than to Onslow court-house; and that the court-house in Onslow is now central, but by taking off a part of the county agreeable to the prayer of the petition, it would not then be so, and that in all probability the inhabitants of the other parts of the county, would then petition to have the court-house removed to the centre; which would not only be attended with expence, but cause much dissatisfaction to the inhabitants of the said county: Your committee are therefore of opinion that the said petition and bill ought to be rejected.—Which is submitted. JOHN A. CAMPBELL, Ch.

Resolved, That the house do concur with this report.

Received from the House of Commons a report of the committee on the petition of John Markland, endorsed "Concurred with;" which was read, concurred with by this house and returned.

Received also a report of the committee on the petition of Murdoch Macree, and a report on the petition of John Cannon, each endorsed "Concurred with;" which were read, concurred with and returned.

Received likewise the resolution directing that the Comptroller shall have access to the records of the General Assembly, the resolve relative to keeping the continental loan-office in the town of Hillsborough, and the resolution in favour of Joseph Leech, Esq., severally endorsed "Concurred with."

Received from the House of Commons the bill to amend an act,

entitled "An act directing the manner of electing Representatives to represent this State in Congress," endorsed "Read the third time and passed."

Ordered, That this bill be read; which being read, was passed the third time and ordered to be engrossed.

Mr. Irwin from the committee of claims, delivered in sundry allowances made by that committee; which were read, respectively concurred with by the Senate, and sent to the House of Commons.

One of the reports above alluded to is the following:—Francis Ramsay, Clerk of the superior court of Washington district, exhibited his claim for making his return of the poll of election for a Representative in Congress for the Western division, 9 days attendance, and 180 miles riding, and was allowed £15.

It was moved by Mr. Macon that this allowance be rejected; which being objected to, and the question taken, was carried in the negative. The yeas and nays were then required by Mr. Clinton, seconded by Mr. Tyson, and are as follows:

For concurring with this report—Mess. Owen, Lanier, Bryan, Gillespie, Clay, Bright, M'Dowall, Nesbit, Wynn, Hill, Dauge, Groves, Riddick, Snead, Keaton, Berger, Barnes, Johnson, Dixon, Courtney, Bell, Singleton, Edwards, Armstrong.—24.

For not concurring with the above report—Mess. Hargett, M'Allister, Qualls, Philips, Skinner, Macon, Payne, Griffin, Bethell, Tyson, Clinton, Webb, Stewart—13.

The house adjourned till to-morrow morning, 10 o'clock.

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Wednesday, December 15, 1790.

Met according to adjournment.

Mr. Clinton delivered in the following report:

The committee to whom the memorial of Jane Pindexter and Joseph Williams, was referred, beg leave to report—That from the information of the Comptroller, it appears that it is impossible to raise and support any charge in behalf of the public against the estate of the late Robert Lanier, Treasurer of Salisbury district, for the utmost industry has been ineffectually used to collect from the Clerks of the different counties of the said district their assessments, during the period in which Mr. Lanier acted; not any document on the subject being preserved, or information to be had, unless it be derived

from Mr. Lanier's own books.—That it appears to your committee from sundry affidavits, and the testimony of divers gentlemen, that some short time previous to Mr. Lanier's death, he had protested himself fully able and willing to settle his accounts with the Comptroller, and had even somewhat proceeded in the business,—but that the papers brought forward for that purpose, having been packed up in his absence from home, had fallen into great confusion by the transportation, &c., which put it out of his power at that time to accomplish a final settlement—That these same papers, having come into the hands of his executors, have been deposited with the Comptroller, containing vouchers, certificates, &c., to a very considerable amount—That considering the premises, your committee are of opinion, that the Comptroller be directed to balance the account of the said Robert Lanier, dec. and that the account of the said Lanier be so closed, or in such other manner, as will best answer the intention of this report. Which is submitted. R. CLINTON, Ch.

Resolved, That the house do concur with this report.

On motion of Mr. Hargett, the house entered into the following resolutions:

The public Treasurer having made known to the General Assembly his unwillingness to continue to take charge of, and to issue the final settlement certificates yet on hand, and it being just and right that the same should continue to issue to the proper claimants. Therefore, Resolved, That the Treasurer be and he is hereby authorised to deliver the final settlement certificates which remain in his possession, into the hands of the Comptroller, taking his receipt for the same; and that his issues and accounts in this respect, be reported on by a committee of the next General Assembly, or otherwise settled as they may direct.

Resolved, further, That the Comptroller shall publish at the court-house of each county in the State, by the first day of April next respectively, and also to have published in the New Bern, Fayetteville and Edenton gazettes, a list of all those entitled to final settlement certificates, and shall insert in such list the amount to which each individual is entitled agreeably to the certificates placed in his hands by the Treasurer, for the information of all concerned; which certificates he shall issue on the following conditions, and on no other whatever, *that is to say.* He shall issue them on the furloughs or discharges of the soldier, or on the certificate of the late Commission-

ers of army accounts, or of the Secretary of the State, that such furloughs or discharges have been lodged in one or other of the said offices. He shall also issue them on the affidavit of the person applying, (being a soldier) that although he served he never had either furlough or discharge, or that having had such, the same were lost or destroyed, and were neither sold or bartered away by him, or by any person for him; and in all cases where no furlough or discharge were obtained, the applicant shall make oath wherefore such happened to be the case: And every application of a soldier not accompanied by furlough or discharge, nor by a certificate as aforesaid, must be supported by a certificate from one field officer and one subaltern at least, that the person applying was in truth a soldier, and served as such. He shall likewise issue to the heirs of deceased soldiers, or to their executors, or administrators, it appearing by a certificate of the Clerk of some court of record in this State that the person applying is either heir, executor or administrator as aforesaid. And he shall in like manner issue to the assignees of soldiers, the assignees applying in person and making oath that they are so in fact, and that they become such without fraud or collusion, and that to the best of their knowledge and belief the person making them assignees was a soldier in the continental line of this State, and served as such; and no assignment shall be good or valid to this end, unless the same shall have been made in the presence of some one Justice of the Peace in this State, and witnessed by him as such.

Resolved, further, That the Comptroller shall advertise with the list of the names, the conditions on which the certificates are to be issued to those claiming.—Sent for concurrence.

Received from the House of Commons a resolution directing the manner of payment to certain Sheriffs, for holding elections for Representatives to Congress; which was read and concurred with.

Received also a resolution directing the Treasurer to stay any law proceedings in behalf of the State against Henry Young, of New-Hanover county; which was read and concurred with.

On motion of Mr. Johnson, the house entered into the following resolution:

Whereas it appears to the General Assembly, that sundry duties have been paid or secured to the Collectors of the different ports and to the Sheriffs in this State, after the adoption of the constitution of the United States by this State, and prior to the appointment of Collectors by Congress, upon goods, wares and merchandize imported

into the State from the other states in the union, which subjects those persons who have paid or secured the duties aforesaid to a double duty, to the great injury of many of the good citizens of this State: For remedy whereof,

Resolved, That the late Collectors of the ports of this State, and Sheriffs, be and they are hereby directed, to remit or repay all duties to them paid or secured after the adoption of the federal constitution by this State, upon all goods, wares and merchandizes imported from the other states in the union, either by land or water; and that the Treasurer be and is hereby directed, to credit the Collectors and Sheriffs with all sums refunded as aforesaid, the Collectors and Sheriffs as aforesaid producing sufficient vouchers to him, that the sums refunded or remitted come under the above description, and were actually repaid or remitted by them to the persons who had paid or secured the same.—Sent for concurrence.

On motion of Mr. Hargett, the house resolved as follows:

Whereas Sarah Long has been released from paying for a tract of land lying in Tyrrel county, purchased by her deceased husband Nehemiah Long: Resolved, therefore, That Hardy Murfree, Commissioner of confiscated property for the district of Edenton, sell the public land at public sale, for current money of this State, giving eighteen months credit, and taking bond with approved security of the purchaser agreeable to law. And, Resolved, further, That the Commissioner cancel the bond of James Baker, as directed by the report of the committee on his petition.

Received from the House of Commons the report of the committee on the petition of the executors of Robert Lanier, dec. endorsed "Concurred with;" and a resolution relative to certain tracts of land in Anson county, sold by Charles Bruce, Commissioner of confiscated property for the district of Salisbury; which was read, concurred with and returned.

Received also the resolutions directing the Treasurer as to final settlement certificates, concurred with.

On motion of Mr. Hargett, the house resolved as follows:

The Judges of the superior courts of law and courts of equity in this State, having laid before the General Assembly a letter informing of their having refused to obey a writ of certiorari issued by the federal Judges of the circuit court for the district of North

Carolina, relative to a suit depending in the court of equity for the district of Edenton, in the state aforesaid, in which Robert Morris, John Alexander Nesbit and others are complainants, and Nathaniel Allen, Alexander Black, William Scott and others are defendants; and the said Judges having together with their letter laid before the two houses the reasons and causes of their refusal, it is therefore Resolved, That the General Assembly do commend and approve of the conduct of the Judges to the courts of law and courts of equity in this particular.—Sent for concurrence.

Received from the House of Commons the bill for altering the time of holding the several county courts of pleas and quarter-sessions therein mentioned, endorsed "Read the third time and passed."

Ordered, That this bill be read; which being read, was passed the third time and ordered to be engrossed.

Received also a report of the committee of claims on the petition of John Arnold, endorsed "Concurred with;" which was read, concurred with by this house and returned.

Received also the resolution of this house in favour of Sarah Long, endorsed "Concurred with."

On motion of Mr. Johnson the house entered into the following resolution:

Whereas many of the good citizens of this State, in compliance with an act passed last session of Assembly, delivered certificates to the public Treasurer of this State, and received in lieu thereof a certain part in money unequivalent to the certificates, and the remainder in certificates not receivable in the loan-office of the United States, by which it is apprehended they will sustain great injury:

Resolved, therefore, That the public Treasurer shall be and he is hereby directed and required, to return to any person or persons applying for the same, the certificates by him or them deposited in the treasury; provided he or they so applying return and pay to the Treasurer aforesaid, all sums of money and certificates received in conformity to the act aforesaid, in lieu of those certificates deposited in the treasury of this State.—Sent for concurrence.

On motion of Mr. Hargett, the House entered into the following resolution:

Whereas for the purpose of renting an office procuring fuel, stationery and other contingencies of office, it is necessary that a sum of money be advanced to the Agent of this State for settling the accounts thereof with the United States:

Resolved, therefore, That the sum of sixty pounds be paid into the hands of Abishai Thomas, Agent as aforesaid, by the public Treasurer, for which this shall be his voucher; and for the application of which the said Agent shall account with the next General Assembly.

The yeas and nays on the concurrence to this resolution being required by Mr. Macon, seconded by Mr. Clinton, are as follows, to-wit.:

For the resolution—Mess. Owen, Lanier, Gillespie, Clay, Bright, M'Dowall, Hargett, M'Callister, Qualls, Nesbit, Wynn, Hill, Groves, Riddick, Skinner, Keaton, Berger, Payne, Armstrong, Pugh, Griffin, Johnson, Dixon, Courtney, Singleton, Edwards, Mooring, Child. —28.

Against this resolution—Mess. Bryan, Phillips, Macon, Bethell, Barnes, Clinton, Graham, Webb, Bell, Campbell, Winston.—11.

Received from the House of Commons a resolution directing his Excellency the Governor relative to the agency and final settlement of the accounts of this State with the United States, and a resolution directing the Treasurer to stay execution against Michael J. Kenan, of Duplin county; which were read, concurred with and returned.

On motion of Mr. Graham, Resolved, That such of the officers and soldiers of the continental line of this State, or their legal representatives, who have not heretofore had their accounts liquidated, and whose names are not to be found on the muster-rolls directed to be lodged in the Treasurer's office by an act of the General Assembly, shall have their accounts respectively properly certified and authenticated, and send the same to the next General Assembly that they may decide thereon as may appear just.

Resolved, further, That the public Treasurer cause the foregoing resolution to be published for three months, from the first day of May next, in al the gazettes of this State.

Received from the House of Commons the resolution relative to certain proceedings had in the superior court of Edenton district, endorsed "Concurred with."

Received also sundry resolutions of the House of Commons relative to funding the public securities of this State in the office of the Commissioner of Loans for the United States in this State; which being read, were severally rejected.

One of which is as follows: "Resolved, That all evidences of the

debt of the United States or of this state, in the hands of the Treasurer, Comptroller or State Agents, shall from time to time be subject, and they are hereby subjected, to the direction of the Governor and Council during the recess of the General Assembly, that the same may be applied as to them may appear, upon mature deliberation, most beneficial to this State."

It was on motion of Mr. Graham, seconded by Mr. Winston, Ordered, That the yeas and nays be taken on the above resolution; which are as follows, viz:

For concurring with this resolution—Mess. M'Callister, Qualls, Wynn, Philips, Child, Bethel, Tyson, Graham, Edwards, Pugh, Winston, Stewart.—12.

For the rejection of this resolution—Mess. Owen, Lanier, Bryan, Gillespie, Bright, M'Dowall, Hargett, Hill, Dauge, Riddick, Skinner, Keaton, Macon, Payne, Clinton, Dixon, Courtney, Webb, Bell, Armstrong.—20.

Received also a report of the committee on finance, endorsed "Concurred with;" and a resolution entered into in consequence thereof, relative to perpetuating the settlements made by the public Treasurer; which were read, concurred with and returned.

Received also a resolution in favor of John Sibley, and a report of the committee of finance on the letter from William Skinner, Esq., Commissioner of Loans; which were read, concurred with and returned.

Received also a report on the petition of Edward Tinker, and a report on the petition of Wright Stanley, each endorsed "Concurred with;" which being read, were concurred with and returned.

Received likewise a resolution directing that a certain sum be paid the Agent for settling the accounts of this State with the United States in advance, the resolution allowing John Wilson a certain sum, and the resolution in favour of soldiers of the continental line of this State who do not appear on the muster-rolls; each endorsed "Concurred with."

Received likewise a resolution directing suit to be commenced against William Blount, Esq., and a resolution directing the Comptroller relative to an account of John Haywood, Esq., which were read, concurred with and returned.

On motion of Mr. Macon, Resolved unanimously, That the thanks of this house be presented to the Hon. William Lenoir, Esq., Speak-

er thereof, for his diligent and faithful services during the present session.

The business of the session being now finished, and the bills passed into laws called for and ratified,

Resolved, That the Speaker of this house sign the Journal as the proceedings thereof, and that the Clerk attest the same.

WILLIAM LENOIR, S. S.

S. HAYWOOD, Clk. S.

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COMPTROLLER'S REPORTS ON THE TREASURER'S ACCOUNTS.

NORTH CAROLINA, COMPTROLLER'S OFFICE, July 1, 1790.

Be it remembered, that I Francis Child, Comptroller of the public accounts of the state aforesaid, have this day settled the account of John Haywood, public Treasurer, so far as the same applies to arrearages, to-wit, to monies, certificates and dollar bills by him received as being due and owing to the public previous to the first day of January, one thousand seven hundred and eighty-eight, as per the foregoing sheets, which have by me been compared with the books of the said Treasurer, and found just and perfectly right; the said books I have also examined with the returns and vouchers, and found them proper and true; and the said returns and vouchers I have received and taken into my possession: It therefore becomes my duty to certify and declare, which I hereby do in my official capacity, that the public arrearage account of the said John Haywood, as Treasurer aforesaid, is fully, fairly, finally and completely settled and balanced, from the time of his first appointment, and from the day of his qualification as Treasurer, in January, 1787, up to this first day of July, 1790, as appears by the books and vouchers aforesaid. In testimony of which I hereto set my hand, this first day of July, one thousand seven hundred and ninety.

FRANCIS CHILD, Comptroller.

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NORTH CAROLINA, COMPTROLLER'S OFFICE, July 1, 1790.

I, Francis Child, Comptroller of the public accounts of the State of North-Carolina, do in my official capacity hereby certify, publish and declare to all whom it may concern, that John Haywood, public

Treasurer of the said state, hath this day settled his account as Treasurer aforesaid, for the taxes and other public dues of the years 1787, 1788 and 1789, in my office; whereby it appears, that from the first day of January, 1788, up to the first day of July, 1790, the reports of the Comptroller against Sheriffs and other accountants, with which the said Treasurer became chargeable in virtue of an act of Assembly passed at Tarborough, in December, 1787, entitled, "An act for the more regular collecting and accounting for the revenues of this state," &c., amount to one hundred and forty-nine thousand one hundred and ten pounds eighteen shillings and four pence in current money, and to one hundred and twenty-three thousand five hundred and ninety-nine pounds eight shillings and two pence in specie certificates; and that the credits of the said Treasurer for grants and warrants, cash and certificate vouchers, together with dollar money and other claims delivered the Comptroller, and for the balances still due for those years from sundry accountants reported against, amount to one hundred and seventeen thousand seven hundred and sixteen pounds thirteen shillings and two pence in cash, and to one hundred and twenty-three thousand five hundred and ninety-nine pounds eight shillings and two pence in specie certificates; which sums being deducted from the amount of the reports charged against him by the Comptroller as aforesaid, leave a balance of thirty-one thousand three hundred and ninety-four pounds five shillings and two pence current money, in the hands of the said Treasurer, due and payable to the State on the said 1st day of July, 1790, and for which said sum of £31,394 5s 2d the said Treasurer is accountable. It is therefore to be remembered and borne in mind, that on the payment of the above mentioned sum of £31,394 5s 2d in current money, or in cash claims, all the public accounts of the said John Haywood, as Treasurer of North Carolina, will be finally settled and completely balanced and closed, from the time of his appointment as Treasurer aforesaid, up to the said 1st day of July, one thousand seven hundred and ninety.

£31,394 5 2, balance due in current money, on the first day of July, 1790. FRANCIS CHILD, Comptroller.

# HOUSE JOURNAL---1790.

NORTH CAROLINA.

At a General Assembly begun and held at Fayetteville, on the first day of November, in the year of our Lord one thousand seven hundred and ninety, and in the fifteenth year of the independence of the United States of America: Being the first session of this Assembly.

The returning officers for the several counties certified that the following persons were duly elected to represent the same in this house, to-wit:

For Anson county—William Wood.
Beaufort—Richard Grist and John Lanier.
Bertie—David Stone.
Brunswick—Benjamin Smith.
Bladen—Joseph Gautier and Duncan Stewart.
Burke—Joseph M'Dowall, Jun., and David Vance.
Craven—Levi Dawson.
Chowan—Stephen Cabarrus and Lemuel Creecy.
Cumberland—John M'Kay and William B. Grove.
Carteret—John Fulford and William Borden.
Camden—Enoch Sawyer and Charles Grandy.
Caswell—Robert Dickins and John Graves.
Currituck—Joseph Ferebee and Andrew Duke.
Chatham—James Anderson and John Mebane.
Duplin—Joseph Dickson and Shadrach Stallins.
Dobbs—Willoughby Williams and Joshua Croom.
Edgecomb—John Leigh and Bythell Bell.
Franklin—Jordan Hill and Archibald Davis.
Granville—Thomas Person and Thornton Yancey.
Guilford—Hance Hamilton and Robert Hannah.
Gates—James Baker Sumner.
Halifax—John Dawson and Willis Alston.
Hertford—Robert Montgomery and Henry Hill.
Hyde—James Jasper and Michael Peters.
Johnston—Matthias Handy and Hardy Bryan.
Iredell—David Caldwell and Mussentine Matthews.
Jones—Edward Bryan.
Lincoln—John Moore and Wm. M'Laine.

Mecklenburg—Robert Irwin and William Polk.
Martin—Jesse Cherry and Ebenezer Slade.
Montgomery—Thomas Butler and Thomas Ussory.
Moore—William Martin.
Northampton—Halcott B. Pride and Samuel Tarver.
Nash—John Bonds and James Battle.
New Hanover—Henry Watters and John G. Scull.
Onslow—John Spicer and Christopher Dudley.
Orange—John Carrington and Alexander Mebane.
Pitt—Shadrach Allen and Samuel Simpson.
Perquimans—Ashbury Sutton and Benjamin Perry.
Pasquotank—Edward Everigin and Thomas Reading.
Rowan—Matthew Lock and Bazil Gaither.
Rutherford—William Porter and James Withrow.
Rockingham—James Taylor and Abram Philips.
Randolph—William Bailey and William Hill.
Robeson—Neill Brown and Ralph Regan.
Richmond—William Robeson and Thomas Blewit.
Surry—Edward Lovell.
Sampson—James Thomson and William King.
Stokes—George Houser and Absalom Bostick.
Tyrrel—
Wake—Ransome Southerland and Britton Sanders.
Wilkes—Jesse Franklin and William T. Lewis.
Warren—Nathaniel Macon and Wyatt Hawkins.
Wayne—John Coor Pender.
The town of Salisbury—
Hillsborough—William Nash.
Halifax—
Edenton—
Wilmington—
New Bern—Isaac Guion.
Fayetteville—John Hay.

Pursuant to which the following members appeared, were qualified by taking and subscribing to the oaths by law appointed for the qualification of members of the General Assembly, and took their seats, to-wit:

William Wood,
Richard Grist,
Thomas Ussory,
William Martin,

John Lanier,
David Stone,
Benjamin Smith,
Joseph Gautier,
Duncan Stewart,
Jo. M'Dowall, Jun.,
David Vance,
Levi Dawson,
Stephen Cabarrus,
Enoch Sawyer,
Robert Dickins,
Joseph Ferebee,
James Anderson,
John Mebane,
Joseph Dickson,
Shadrach Stallins,
Willoughby Williams,
Joshua Croom,
John Leigh,
Bythell Bell,
Jordan Hill,
Archibald Davis,
Thomas Person,
Thornton Yancey,
Hance Hamilton,
Robert Hannah,
James B. Sumner,
Willis Alston,
Robt. Montgomery,
Henry Hill,
James Jasper,
Michael Peters,
Matthias Handy,
Hardy Bryan,
David Caldwell,
Mussentine Matthews,
Edward Bryan,
John Moore,
William M'Laine,
Robert Irwin,
Samuel Tarver,
John Bonds,
James Battle,
John G. Scull,
Henry Watters,
John Spicer,
Christopher Dudley,
John Carrington,
Alexander Mebane,
Shadrach Allen,
Benjamin Perry,
Edward Everigin,
Thomas Reading,
Matthew Lock,
Bazil Gaither,
William Porter,
James Withrow,
James Taylor,
Abram Philips,
John Fulford,
William Bailey,
Neill Brown,
Ralph Regan,
William Robeson,
Thomas Blewitt,
Edward Lovell,
James Thomson,
William King,
George Houser,
Absalom Bostick,
Ransom Southerland,
Brittain Sanders,
William T. Lewis,
Jesse Franklin,
Nathaniel Macon,
Wyatt Hawkins,
John C. Pender,
William Nash,
Isaac Guion,
John M'Kay,

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|---|---|
| William Polk, | William B. Grove, |
| Jesse Cherry, | John Hay, |
| Ebenezer Slade, | Samuel Simpson, |
| Thomas Butler, | Andrew Duke. |

Mr. Person proposed for Speaker Stephen Cabarrus, Esq., who was unanimously chosen, and conducted to the chair accordingly.

On motion, John Hunt was appointed Clerk, and John Haywood Assistant. At the same time Peter Gooding and James Mulloy were appointed Door-Keepers.

The house adjourned until to-morrow morning, 10 o'clock.

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TUESDAY, November 2, 1790.

Met according to adjournment.

Mr. David Turner, one of the members for Bertie county; Mr. John Graves, one of the members for Caswell county; Mr. William Hill, one of the members for Randolph county; Mr. Ashbury Sutton, one of the members for Perquimans county, and Mr. Simeon Spruill, one of the members for Tyrrel county, appeared, were qualified, and took their seats.

Received from the Senate the following message:

Mr. Speaker and Gentlemen:

This house is now formed and ready to proceed on the business of the public.

Ordered, That the following message be sent to the Senate:

Mr. Speaker and Gentlemen:

We have received your message acquainting us that your house is formed; in answer to which we acquaint you that we are also formed, and ready to proceed on the public business.

Received from the Senate the following message:

Mr. Speaker and Gentlemen:

The address which accompanies this we propose shall be presented to his Excellency the Governor, should it meet your approbation; Mr. Macon and Mr. Hargett will on the part of this house attend and present him with the same.

Ordered, That the following message be sent to the Senate:

Mr. Speaker and Gentlemen:

This house have received and do approve of the message proposed

by you to be presented to his Excellency the Governor; we have nominated on our parts Mr. Person and Mr. Mebane to attend him with the same.

Mr. Person presented the affidavit of the Hon. Stephen Cabarrus, Esq., setting forth that he heard Lemuel Creecy proclaimed by the Sheriff of Chowan county as being duly elected a member of the House of Commons for the said county, to serve in the present General Assembly; and at the same time also presented the affidavit of the said Mr. Creecy, setting forth that in consequence of his being elected a member as aforesaid, he did receive a certificate of his said election from the Sheriff of Chowan county, purporting the same, but by some mistake he had either lost or mislaid the said certificate; whereupon Mr. Person moved that Mr. Creecy be permitted to qualify and take his seat; which being agreed to, Mr. Creecy did thereupon qualify and take his seat accordingly.

Resolved, That Mr. Bonds, Mr. Spicer, Mr. Turner, Mr. Nash and Mr. Sanders, be a committee to hear and report on the reasons of such members who failed to appear on the day appointed for the meeting of the General Assembly.

Resolved, That Mr. M'Dowall, Mr. Irwin, Mr. Person, Mr. Davis, Mr. Sutton, Mr. Dawson, Mr. Gautier and Mr. Grove, be a committee of privileges and elections.

Received from the Senate the following message:

Mr. Speaker and Gentlemen:

We propose that the two houses ballot at 4 o'clock this evening for three engrossing and committee Clerks, and nominate Mr. Curtis Ivey, Mr. Pleasant Henderson, Mr. John Dixon and Mr. Richard Frear.

Ordered, That the following message be sent to the Senate:

Mr. Speaker and Gentlemen:

We agree to ballot as by you proposed for three engrossing and committee Clerks.

Received from the Senate the following message:

Mr. Speaker and Gentlemen:

Mr. M'Dowall, Mr. Graham, Mr. Courtney, Mr. Qualls, Mr. Skinner, Mr. Hargett, Mr. Kenan and Mr. Lane, will on the part of this house act jointly with such gentlemen of your body as may be appointed a committee of propositions and grievances. We have also appointed as a committee of claims, Mr. Dixon, Mr. Nesbit,

Mr. Lane, Mr. Benford, Mr. Riddick, Mr. Bryan, Mr. Snead and Mr. Barnes.

Ordered, That the following message be sent to the Senate:

Mr. Speaker and Gentlemen:

This house have on their part appointed a committee to consider of and report to the two houses what bills of a public nature are proper to pass into laws at the present session, and propose that some gentlemen of your body be appointed to act with them; the gentlemen nominated by this house are Mr. Lock, Mr. Taylor, Mr. Macon, Mr. Person, Mr. Mebane, Mr. Polk, Mr. B. Smith, Mr. Hay, Mr. Southerland, Mr. Dickins, Mr. Leigh, Mr. Guion, Mr. Franklin, Mr. Creecy. We have received the message of your house proposing to appoint a committee of propositions and grievances, and also a committee of claims and have acceded thereto. For the committee of propositions and grievances we have appointed Mr. Porter, Mr. Irwin, Mr. Dickins, Mr. Leigh, Mr. Sawyer, Mr. Allen, Mr. Watters, Mr. M'Kay, and Mr. Carrington. For the committee of claims we have appointed Mr. Porter, Mr. Caldwell, Mr. Mebane, Mr. Hawkins, Mr. Montgomery, Mr. Handy, Mr. Scull, Mr. Wood, Mr. Irwin.

Received from his Excellency the Governor the following message:

To the honourable the General Assembly of the State of North Carolina.

Gentlemen:

I do myself the honor to lay before you the several communications come into my hands in the recess of your body, that are of a public or important nature.

The authenticated copies of several acts of Congress passed at their last session, transmitted to me by the Secretary of State for the United States, first merit your attention; some of those acts concern the State more immediately, particularly an act to accept a cession of the claims of the state of North Carolina to a certain district of western territory, the deed of which, pursuant of an act of the General Assembly of this State, passed for this purpose at their last session, was executed in due form by our Senators in Congress, and the same, with the first recited act, I have caused by proclamation to be duly promulgated. As the ceded territory contains nearly one of the districts of the State late entitled to representa-

tion in Congress, it will be necessary that the other districts be new modeled by legislative act, that the number of representatives this state claims in its present situation by the federal constitution, be apportioned to such parts as will make that representation equal and just. The time of our representatives serving in Congress having nearly expired, as by the resolution of the House of Representatives now laid before you, it will be also necessary that the legislative provision be made for another election before the fourth day of March next, that the members be in readiness to take their seats in Congress at that time agreeably to said resolution.

The act of Congress for the assumption of the debts of the individual states without their particular consent, or application of their citizens for this purpose, seems to exhibit, at an early period, a new and unexpected precedent of legislation in the federal government. How far the same may involve in it the independence and internal sovereignty of the state, is a subject I shall not undertake to discuss, but suppose the principles of pure and equal justice dictated in that honourable body this extraordinary measure. By this act taking effect some part of our revenue system you may think proper and advisable to alter and make conformable to it. Our Agents for settling the accounts of the state with the Commissioners of the United States, inform by their communication before you, that in consequence of the above act our public accounts are to wear a new dress by undergoing a different statement from the former, and other claims admitted greatly in favour of the State.

The correspondence and papers respecting the Martinique debt are presented to your notice, and I am happy to inform you, that by and with the advice of the Council of State, that debt which hath so long burthened and disgraced this State, is so far put in train, I flatter myself, as will shortly be extinguished forever.

I beg leave to call your attention to the frauds daily practicing on the public credit of the state by nefarious villains in the neighbouring states as well as in this, the counterfeiting of our bills of circulating currency in such an artful manner as almost baffles detection, and the infamous traffic carried on with the same demand some new exertions of legislative authority on the suppression of these crimes. Though the laws be deemed adequate to the punishment of persons offending in the state, yet these offences committed out of the government, bid defiance to those laws and pass with im-

punity. I submit to your wisdom the propriety of calling in the whole of our present paper medium and exchanging the same with another prepared with greater accuracy and art in the materials, under the direction of characters equal to the trust, and possessing your highest confidence: That the same be not considered a new emission but a mere exchange of the present currency to secure the public credit of the State. That your sense of the above great evils be expressed in resolves or otherwise, and the Executive be authorised to transmit the same to the neighbouring or all the states in the union, requesting them to pass laws inflicting punishments as to them shall seem just on such of their citizens guilty of the said offences, so destructive to public credit and commerce in general as well as to our own.

The General Assembly at their last session were pleased by an act, to establish an university in the state; but the funds allotted being slow in the collection, have not been nor shortly will be productive to answer the intentions of the legislature. This institution which hath been stamped with importance and erected for the cause of humanity, might do honour to this and the southern states, had it a proper support, where youth might be nurtured in true religion, sound policy and science, and men of abilities drawn forth to fill the different departments of government with reputation, or be formed for useful and ornamental members of society in private or professional life. To your further notice permit me to recommend this infant establishment, which without your fostering care must fall or rise slow into consequence. That a loan be granted from the treasury on the security of the present funds, and future to be established, to the Commissioners to enable them to proceed in erecting the buildings and give it a more essential than a paper being.

The judiciary system hath long been the subject of legislative attention, a reform hath been frequently attempted that hath failed. The daily increase of litigation in the courts of law and equity seem to demand some relief to our Judges in the growing burthens and great duties of their office by additional aid to their number. How far the same is necessary and expedient at this time is submitted to your wisdom.

The present route of the public post has long been considered a grievance to the part of the state where population more generally

obtains, in being confined to the seaboard towns where only a few inhabitants derive advantages from that establishment, in comparison of the great bulk of the people of the interior country deprived of them, where was it permitted to pass the post-office no doubt would be more amply supported, and a long circuitous route much shortened to the Southern States. By this the government would also be benefitted with much speedier intelligence, and the same diffused among our citizens with dispatch so necessary in our present federal situation. Had the interior parts of the state been indulged with cross-posts to the present post-stages, the inconvenience of the present establishment would not have been so severely felt; but this hath for some reasons never been granted: Permit me to urge your interposition on this subject, that our Senators in Congress receive your particular instructions to use their endeavours to effect the redress of this grievance, and have the regulation of the post route through the State agreeable to your sense and wish.

The above are the principal objects I have thought proper to lay before you. My letter-book and the journal of the Council of state are presented for your perusal and further information. Whatever shall come forward in the course of the session worthy of your attention, the same shall be communicated by message.

ALEX. MARTIN.

Fayetteville, November 2, 1790.

Ordered, That the following message be sent to the Senate:

Mr. Speaker and Gentlemen:

We herewith transmit you a message this day received from his Excellency the Governor, together with the several papers therein referred to, which we propose referring to the joint committee appointed to consider of the bills proper to be prepared and passed into laws during the present session.

The house adjourned till 4 o'clock, P. M.

Met according to adjournment.

Mr. Cornelius Dowd, one of the members for Moore county, appeared, was qualified and took his seat.

Received from the Senate the petition of Ezekiel Arrington, endorsed "Read and referred to the committee of propositions and grievances;" which being read, was referred as by the Senate and returned.

Mr. Dickins presented the petition of Michael Montgomery, which being read, was referred to the committee of propositions and grievances, and sent to the Senate.

Received from the Senate the petition of William Lewis and Samuel Harrell, endorsed "Read and referred to the committee of propositions and grievances;" which being read, was referred as by the Senate and returned.

Received from the Senate a bill to carry into effect a resolution of Congress, passed the 29th September, 1789, endorsed "Read the first time and passed." This bill was taken up and read for the first reading in this house, passed and returned to the Senate.

Received from the Senate the following message:

Mr. Speaker and Gentlemen:

We are now ready to proceed on the balloting for committee and engrossing Clerks, and propose in order to expedite this business, that the three who shall have the greatest number of votes be returned elected. Mr. Macon and Mr. Wynn will superintend the balloting on the part of this house.

Ordered, That the following message be sent to the Senate:

Mr. Speaker and Gentlemen:

We have received the message of your house informing that you are ready to proceed on the balloting for engrossing Clerks, and proposing that the three having the highest number of votes be declared duly elected; to which we agree, and have appointed Mr. Macon and Mr. John Mebane to conduct the balloting.

Resolved, That the following rules of decorum be observed during the sitting of this house:

1st. That no person shall pass between the Speaker and the person speaking.

2d. That no member shall be allowed to speak but in his place; and after rising and addressing himself to the Speaker, shall not proceed until permitted by the Speaker's calling him by name.

3d. That no person shall stand up or disturb another while he is speaking.

4th. That no member shall come into the house, or remove from one place to another, with his hat on, except those of the Quaker profession.

5th. That no member shall speak more than twice to one ques-

tion upon any debate without leave, except in a committee of the whole house.

6th. The Speaker ought to be heard without interruption and when he rises, the member up shall sit down.

7th. That no person shall be called upon for any words of heat but on the day on which they were spoken.

8th. Whenever the members are equally divided the Speaker shall determine the question, but not vote on any other occasion.

9th. That no member shall depart the service of the House without leave.

10th. That the house shall not proceed to debate on any motion unless the same is seconded, and immediately reduced to writing, provided any member requires the same.

11th. When two or more members are up together, the Speaker shall determine who rose first.

12th. Whoever violates any of the above rules, shall receive such censure as the house shall direct.

13th. Whenever the house shall be divided on a question, two tellers shall be appointed to number the members on each side.

Received from the Senate the following message:

Mr. Speaker and Gentlemen:

We herewith send for your concurrence a resolution relative to finance; should it meet your concurrence, Mr. Hargett, Mr. Wynn, Mr. Graham, Mr. M'Dowall, Mr. Macon, Mr. Owen and Mr. Dickson, will on the part of the Senate act with such gentlemen as you may appoint to report on the several subjects therein contained.

The resolution referred to in the foregoing message being read, was rejected: Whereupon, on a motion made by Mr. James Taylor, and seconded by Mr. Person, the following resolution was adopted by this house in lieu thereof:

Resolved, That a committee of finance be appointed, to consist of members from each house of the legislature, who shall be particularly directed to inquire into the net proceeds of each branch of the revenues of this State, and the net amount of all. Also, that they be particularly directed to extend their enquiries into the present state and condition of the treasury, into the application of the monies levied and collected since the last statement and arrangement made in the year 1789, until the time of making up the report.

Also, that they enquire into and make report of all delinquencies of payment by all persons who have been entrusted with the management and disposition of public monies, with the amounts thereof respectively. That they be authorised to apply for all papers and documents necessary to such investigation in the possession of his Excellency the Governor, the Treasurer, Comptroller, or any other officer or Commissioner. That they report what progress the Treasurer hath made in recovering monies from those who were directed to be sued by a resolve of the last General Assembly, or of any former Assembly: That they make up an estimate of incidental expences of the ensuing year. Also, that they enquire into and report the amount of the securities in circulation, for which this State was liable at the time they were assumed by the general government; likewise the arrears due to the State from citizens thereof in said securities, and the amount of such securities heretofore collected by the State; together with the amount of the certificates issued in lieu of others heretofore in circulation, agreeably to an act of the last General Assembly: And generally that they enquire into all other matters relative to the public monies or vacancies, which they may deem necessary for the consideration of the General Assembly, although such matters are not herein particularly specified, and that the said report when made, be printed and bound up together with the acts of the Assembly to be enacted this session.

Ordered, That the following message be sent to the Senate:

Mr. Speaker and Gentlemen:

We have received your resolution for appointing a committee of finance, and directing their enquiries; we approve of the proposition to appoint such a committee, but think that the objects ought to be enlarged, and accordingly have drawn a resolution which we are of opinion will more effectually answer the purposes intended, which we herewith send for your concurrence. The members named for this committee on our parts are Mr. M'Laine, Mr. Lock, Mr. Person, Mr. Alston, Mr. Perry, Mr. Hardy Bryan, Mr. Smith, Mr. Grove, Mr. Leigh, Mr. Gautier, Mr. Polk, Mr. Macon, Mr. Mebane, Mr. Taylor, Mr. Dickins and Mr. Hay.

Mr. Macon, from the joint balloting for engrossing Clerks, reported,—That Pleasant Henderson, Curtis Ivey and Richard Frear, were elected for that purpose.

The House taking this report into consideration, concurred therewith.

The house adjourned until to-morrow morning, 10 o'clock.

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WEDNESDAY, November 3, 1790.

Met according to adjournment.

Mr. Wm. E. Lord, one of the members for Brunswick county, appeared, was qualified and took his seat.

Mr. Ferebee presented the petition of John Simmons; which being read, was referred to the committee of propositions and grievances and sent to the Senate.

Mr. Ferebee presented the petition of David Campbell; which being read, was referred to the committee of propositions and grievances and sent to the Senate.

The speaker laid before the House a letter from John Haywood, Esq., public Treasurer, giving information relative to the state of the treasury, and business appertaining thereto; which being read, was referred to the committee of finance and sent to the Senate.

Ordered, That the following message be sent to the Senate:

Mr. Speaker and Gentlemen:

This house propose that a joint committee be appointed, to consider of and report what measures are proper to be adopted for the rectifying of mistakes committed in the issuing of patents or grants for lands from the late land-offices in this state, or the land-offices of the late King of Great-Britain, or of the late Lords Proprietors. We have on our parts appointed Mr. Dickins, Mr. Person, Mr. Irwin and Mr. Smith on this committee.

Mr. B. Smith presented the petition of Dennis Hankins; which being read, was referred to the committee appointed to correct errors in patents and sent to the Senate.

Mr. A. Mebane presented the petition of Mark Patterson; which being read, was referred to the committee of propositions and grievances and sent to the Senate.

Mr. Robeson presented the petition of John Crawford; which being read, was referred to the committee of propositions and grievances and sent to the Senate.

The petition of William Croom was read and referred to the committee to correct errors in patents, and sent to the Senate.

Mr. Person presented the petition of Wm. C. Webb and Conyers White, of Orange county, in the State of Virginia; which being read, was referred to the committee of propositions and grievances and sent to the Senate.

Mr. Wm. Borden, one of the members of Carteret county, appeared, was qualified and took his seat.

Ordered, That the following message be sent to the Senate:

Mr. Speaker and Gentlemen:

This house propose that an adjournment of the legislature take place till to-morrow morning, 9 o'clock, in order that the committees proceed to the consideration of the matters submitted to them.

Mr. Porter presented the petition of sundry of the inhabitants of Hyde county; which being read, was referred on the part of this house to Mr. M'Laine, Mr. Porter, Mr. Jasper and Mr. Stone, and sent to the Senate.

Received from the Senate the following message:

Mr. Speaker and Gentlemen:

The petition which accompanies this we propose shall be submitted to the consideration of a joint committee, who shall report some plan to remedy the complaint of the petitioner, as well as all others holding like demands on this state. We also propose that this committee be instructed to report some plan for the relief of the citizens of this state who hold military claims issued in 1786, at Warrenton, which were not fraudulently obtained. Should you agree with us in this appointment of a committee for these purposes, Mr. Hargett, Mr. Macon and Mr. Graham, will on the part of this house act with such gentlemen as you may nominate.

Ordered, That the following message be sent to the Senate:

Mr. Speaker and Gentlemen:

We have appointed Mr. Irwin, Mr. Polk, Mr. Lord, Mr. Dudley, Mr. Franklin, Mr. Leigh and Mr. Borden, to act with the gentlemen by you nominated, as a committee to remedy the complaint of Adam Lawrence, and to report some plan for the relief of such persons who hold military certificates granted in 1786 at Warrenton, as were not fraudulently obtained.

Received from the Senate the petition of John Richards, endorsed "Read and referred to the committee of propositions and grievances;" which being read,

Ordered, That the following message be sent to the Senate:

Mr. Speaker and Gentlemen:

We herewith return to you the petition of John Richards, which we propose referring to the committee to adopt measures for the correcting errors in patents, believing that to be more properly a subject for their consideration than of the committee of propositions and grievances, as by you proposed.

Mr. Nash presented the petition of Thomas Haslen, of the town of New Bern, setting forth that the election for a member to represent the said town in this house had been conducted in an illegal manner, and praying relief in the premises.

Ordered, That the said petition be referred to the committee of privileges and elections.

Mr. Samuel Moseley, one of the members for Surry county, appeared, was qualified and took his seat.

Received from the Senate the following message:

Mr. Speaker and Gentlemen:

The resolution of your house appointing a committee of finance, and directing their enquiries, we return you concurred with. The gentlemen named in your message of yesterday on this head, will act on the part of this house.

Received from the Senate the following petitions, endorsed "Read and referred as by the House of Commons," to-wit:—The petition of William C. Webb and Conyers White, the petition of Mark Patterson, the petition of David Campbell, the petition of Michael Montgomery, the petition of John Crawford, the petition of John Simmons.

The house adjourned until to-morrow morning, 9 o'clock.

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THURSDAY, November 4, 1790.

Met according to adjournment.

Mr. Edward Jones, the member for the town of Wilmington, appeared, was qualified and took his seat.

Mr. Wood presented the petition of Joseph Ingram; which being read, was referred to the committee of propositions and grievances and sent to the Senate.

Mr. Alexander Mebane presented the petition of sundry of the

inhabitants of Orange county, setting forth that they did before the revolution purchase sundry tracts of land of Henry Eustace M'Culloch, late of North Carolina, and that for part of the purchase money they gave their obligations, payable to the said M'Culloch, since which the said M'Culloch removed himself from this State, by which means they have not had it in their power to discharge and take up their obligations, and praying that the General Assembly would direct the payments to be made to some person whom they may think proper to appoint for that purpose.

Ordered, That this petition be referred to Mr. Polk, Mr. Mebane, Mr. Jones, Mr. Stone and Mr. Franklin, on the part of this house, and sent to the Senate.

Mr. Polk presented the petition of David Robinson; which being read, was referred to the committee appointed to correct errors in patents and sent to the Senate.

Mr. Polk presented the petition of sundry inhabitants of Mecklenburg county; which being read, was referred to the committee appointed on the petition of the inhabitants of Orange county and sent to the Senate.

Received from the Senate the following messages:

Mr. Speaker and Gentlemen:

We agree that a committee be appointed to consider of and report what bills of a general nature are necessary to be passed into laws at the present Assembly, and have made choice of Mr. Lane, Mr. Graham, Mr. Clinton, Mr. Hargett, Mr. Kenan, Mr. M'Dowall and Mr. Courtney, to act with the gentlemen by you named for this purpose.

Mr. Speaker and Gentlemen:

Mr. Philips, Mr. Graham and Mr. Hargett, will act with the gentlemen by you named for the purpose of correcting errors in patents, &c.

Mr. Speaker and Gentlemen:

We consent that the petition of John Richards shall be reported on by the committee appointed to correct errors in patents, as by you proposed.

Mr. E. Jones presented the petition of George Merrick; which being read, was referred to the committee appointed on the petition of sundry inhabitants of Orange county and sent to the Senate.

Ordered, That the following message be sent to the Senate:

Mr. Speaker and Gentlemen:

We have added Mr. Gautier, Mr. Jones and Mr. Stone to the committee appointed to report what bills of a public nature are necessary to be passed into laws at the present Assembly.

Received from the Senate the petition of sundry of the inhabitants of Mecklenburg county, the petition of David Robinson, the letter from John Haywood, Esq., public Treasurer, the petition of Wm. Croom, the petition of Joseph Ingram, and the petition of Dennis Hankins; severally endorsed "Read and referred as by the House of Commons." Also the petition of sundry of the inhabitants of Hyde county, endorsed "Read and referred to Mr. Riddick, Mr. Groves and Mr. Bell." And the petition of sundry of the inhabitants of Orange county, endorsed "Read and referred to Mr. Courtney, Mr. Kenan and Mr. Graham."

Received also a bill for dividing the county of Caswell, endorsed "Read the first time and passed."

This bill was taken up and read for the first time in this house, passed and returned to the Senate.

Received from the Senate the petition of Isaac Hunter, of Gates county, endorsed "Read and referred to the committee of claims;" which being read, was referred as by the Senate and returned.

Mr. Macon presented the petition of William Little, of Hertford county, setting forth that the election of Mr. Henry Hill a member of this house for the said county, had been conducted in an illegal manner, and praying relief in the premises.

Ordered, That this petition be referred to the committee of privileges and elections.

Mr. Person presented the petition of James Forsyth, of Granville county; which being read, was referred to the committee for correcting errors in patents and sent to the Senate.

Ordered, That the following message be sent to the Senate.

Mr. Speaker and Gentlemen:

We have added Mr. Dawson to the committee for correcting errors in patents, &c.

Mr. Ferebee presented the resignation of John Simmons, one of the Justices of the Peace for Currituck county; which was read, accepted by this house and sent to the Senate.

Mr. Ferebee moved for leave and presented a bill to confirm unto

Thomas P. Williams, of Currituck county, an indefeasible title to two acres of land at Belville, in Currituck county, given by Thomas M'Knight, for the purpose of erecting a chapel, agreeable to an act of Assembly passed at New Bern, in March, 1774; which was read the first time, passed and sent to the Senate.

Received from the Senate the following message:

Mr. Speaker and Gentlemen:

We consent that the message of to-day from his Excellency the Governor, together with the papers accompanying it, be reported on by the committee on public bills.

The house adjourned till to-morrow evening, 4 o'clock.

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FRIDAY, November 5, 1790.

Met according to adjournment.

Mr. Guion presented the petition of Richard Cogdell; which being read, was referred to the committee of propositions and grievances and sent to the Senate.

Resolved, That all persons having public claims, may present them to the committee of claims directly, without any previous application to either of the houses; and that the committee shall receive and pass upon the same, in the same manner as if the houses had specially referred them.

Mr. Hay presented the petition of Thomas Overton and Richard Street, praying that a law may be enacted for keeping Deep-river open, free for the passage of fish up the same; which being read, Mr. Hay moved for leave and presented a bill to keep open Deep river, for the passage of fish up the same, and to repeal an act passed at Tarborough, in the year 1787, entitled, "An act to enable the county courts to appoint Commissioners to keep open rivers and creeks at their several falls for the free passage of fish up the same," so far as the said act may be construed to relate to Deep river; which was read the first time, passed and sent to the Senate.

The committee to whom was referred the petition of Dennis Hankins, reported—That having taken the petition, and vouchers in support of the facts therein set forth, into consideration, and clearly perceiving that the Secretary of State has inserted the name of John instead of Dennis, in a grant for one hundred acres of land in Brunswick county, which ought to have been in the name of Dennis Han-

kins: Your committee are therefore of opinion that the Secretary be hereby directed to alter the name of John to that of Dennis in the said grant; and that such alteration be made in presence of his Excellency the Governor; and that the Secretary be hereby further directed to make an alteration of the record in his office of the said grant so that the record correspond with the grant.—All which is submitted. THOMAS PERSON, Ch.

Resolved, That the house do concur with this report.

The committee appointed to consider of and report such bills of a public nature as are necessary to be passed into laws, reported—A bill for the better regulation of the courts of law and courts of equity. A bill to compel the Wardens of the poor in the different counties to account with the courts of their respective counties for all monies by them received for the purpose of supporting the poor.—A bill to amend the act for inspection of tobacco.—A bill to alter the mode of administering oaths to jurors in county courts.—A bill to repeal an act providing means for the payment of the domestic debt, and to amend an act for opening the land office for redemption of specie and other certificates.—A bill to prevent all persons holding offices under the federal government from being eligible to a seat in the General Assembly of this State, or holding any office either executive, judicial or otherwise, under the appointment of the State.—A bill to amend the law relative to attachments.—A bill for regulating the Judges of the county courts.—A bill to incorporate the physicians in this State. A bill to amend the several acts of Assembly therein mentioned respecting slaves.—A bill to amend the stray act. A bill directing the manner of electing Representatives to represent this State in Congress.—A bill for the more speedy collection of rents.—A bill to alter the mode of punishing horse stealing.—A bill to repeal the present vendue law.—A bill to alter and amend the act for the benefit of insolvent debtors.

Resolved, That the committee on public bills divide themselves into sub-committees, and allot to each sub-committee the drawing of such bills as they may agree upon.

The house adjourned till to-morrow morning, 10 o'clock.

SATURDAY, November 6, 1790.

Met according to adjournment.

The Speaker laid before the house a letter from John Haywood, Esq., public Treasurer, enclosing certificates of his having fully and finally settled his accounts as Treasurer, &c., with the Comptroller of public accounts; which were ordered to be sent to the Senate, with the following message:

Mr. Speaker and Gentlemen:

We send you herewith a letter this day received from the Treasurer, together with the papers therein referred to, which we propose referring to the committee of finance.

The committee of privileges and elections, to whom was referred the petition of Thomas Haslen, of the town of New Bern, reported—That having taken under consideration the petition of Mr. Haslen, and several depositions laid before your committee relative to the allegations in the said petition set forth, are of opinion that the election for the town of New Bern aforesaid was legal, and that Mr. Guion, the sitting member, is entitled to a seat in the present General Assembly. All which is submitted.

THOMAS PERSON, Ch.

Resolved, That the house do concur with this report.

Received from the Senate a bill to carry into effect a resolution of Congress, passed the 29th of September, 1789, endorsed "Read the second time and passed."

Ordered, That this bill be read on Saturday next for the second reading in this house.

Mr. Porter presented the petition of Timothy Riggs; which being read, Mr. Porter moved for leave and presented a bill directing the Entry taker of Rutherford county to deliver certain warrants therein mentioned to the surveyor of said county; which was read the first time, passed and sent to the Senate.

Mr. Edward Jones presented the memorial of John M'Kenzie; which being read, was referred to the committee of propositions and grievances and sent to the Senate.

On a motion made by Mr. Hay, and seconded by Mr. Person,

Ordered, That the following message be sent to the Senate:

Mr. Speaker and Gentlemen:

We propose that a committee of the whole of both houses be had

on Monday the 15th inst. to take under consideration the internal policy of this State, and its present interests as connected with the general government of the United States.

Mr. James Taylor presented the memorial of Robert Martin; which being read, was referred to the committee of propositions and grievances and sent to the Senate.

Resolved, That all bills on their first introduction shall be read for information, and shall afterwards on motion of any member be taken up and read for the first reading, when it may be debated on and amended; and passed for the first time or rejected. That when any bill shall be returned from one house to the other for a second reading, notice shall be given by the space of one day at least, when it shall be read for the second time; and on the day so noticed shall be taken up and read for the information of the house, and then by paragraphs when it may again be debated on and amended, and shall be put on its passage for the second time, and either passed or rejected. That on the third reading of any bill, notice shall be given in like manner as on the second reading, and on the day so appointed shall be read by paragraphs, when it shall be open to further debate and amendment, and shall be then put on its passage for the third and last time; and in case of passage shall be engrossed, when it shall undergo no alteration except for clerical error.

Ordered, That Mr. Franklin have leave to absent himself from the service of this house until Tuesday the 16th inst.

Received from the Senate the memorial of Robert Burton, endorsed "Read and referred to the committee of propositions and grievances:" And the petition of William Skinner, endorsed "Referred to the committee of finance;" which being read, was referred as by the Senate and returned.

Received from the Senate the following message:

Mr. Speaker and Gentlemen:

We herewith send you the petition of Helen Tylor, which we propose shall be reported on by a joint committee; and that the committee be requested to report a plan by which all persons holding like claims may be relieved. Should you agree to the appointment of a committee for these purposes, Mr. Graham, Mr. Kenan and Mr. Campbell will act on the part of this house.

The petition referred to in the foregoing message being read, was referred on the part of this house to Mr. Lord, Mr. Sutherland, Mr.

Jones, Mr. Mebane, Mr. Moore, who are also appointed as a committee on the part of this house for the purposes expressed in the said message:

Ordered, That the following message be sent to the Senate.

Mr. Speaker and Gentlemen:

We have appointed a committee on the part of this house on the petition of Helen Tylor, and for the other purposes expressed in your message accompanying the petition.

Mr. A. Mebane moved for leave and presented a bill for building a court-house in the town of Hillsborough for the district of Hillsborough; which was read the first time, passed and sent to the Senate.

Received from the Senate the memorial of John McKenzie, the petition of Richard Cogdell, the petition of James Forsyth, the memorial of Robert Martin, and the petition of George Merrick, severally endorsed "Read and referred as by the House of Comons."

Mr. Moore presented the petition of Philip Null and Christian Sebeau; which being read, was referred to the committee of propositions and grievances and sent to the Senate.

Received from the Senate the following reports concurred with by that house, to-wit: On the petition of William C. Webb and Conyers White, on the petition of Dennis Hankins, on the petition of Joseph Ingram, on the petition of David Campbell, on the petition of Mark Patterson, on the petition of John Crawford, and of the committee on public bills severally endorsed "Read and concurred with."

Received from the Senate the following message:

Mr. Speaker and Gentlemen:

We agree that the letter of this day's date from the public Treasurer, together with its enclosures, be reported on by the committee of finance.

Received from the Senate the resolution of this house directing the committee of claims, in the first instance, to receive and pass upon all claims, &c., concurred with.

Received from the Senate a bill directing the Entry taker of Rutherford county to deliver certain warrants therein mentioned to the Surveyor of said county, endorsed "Read the first time and passed." And a bill for dividing the county of Caswell, endorsed "Read the second time and passed."

Ordered, That these bills be read on Monday next for the second reading in this house.

Received from the Senate a bill to keep open Deep river for the passage of fish, &c., and a bill to confirm unto Thomas P. Williams, of Currituck county, an indefeasible title to two acres of land at Bellville, &c., endorsed "Read the first time and passed."

The house adjourned till Monday morning, 10 o'clock.

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MONDAY, November 8, 1790.

Met according to adjournment.

Mr. Halcott B. Pride, one of the members for Northampton county, and Mr. John Allen, one of the members for Craven county, appeared, were qualified and took their seats.

Mr. Macon moved for leave and presented a bill to repeal part of the fifth section of an act of the General Assembly, passed at New Bern, in the year 1784, entitled "An act for raising a public revenue for the support of government, and to repeal an act to suppress excessive gaming;" which was read for the first reading in this house, passed and sent to the Senate.

Mr. Guion presented the petition of Edward Tinker; which being read, was referred to the committee appointed to correct errors in patents, &c., and sent to the Senate.

Ordered, That the bill to confirm unto Thomas P. Williams, of Currituck county, an indefeasible title to two acres of land at Bellville, be read for the second reading in this house to-morrow.

Mr. James Pickett, one of the members for Anson county, appeared, was qualified and took his seat.

Mr. Person presented the petition of sundry inhabitants of Caswell county, praying against the division thereof; which being read, a motion was made by Mr. Porter, seconded by Mr. Jones, that the petitions both for and against the division thereof, be referred to a joint committee to be appointed for that purpose; and that the committee so appointed report the propriety of dividing or not dividing the county.

Ordered, That the following message be sent to the Senate:

Mr. Speaker and Gentlemen:

We propose that the petitions for and against the division of Caswell county, together with the bill for that purpose and the other

papers thereto relating, be all referred to a joint committee of both houses; and that they be directed specially to report all such facts concerning the allegations in the petitions as may be necessary to guide the judgment of the two houses.

The bill directing the Entry-taker of Rutherford county to deliver certain warrants therein mentioned to the surveyor of said county, was read the second time, passed and sent to the Senate.

Mr. Person presented the petition of F. Martin, printer in the town of New Bern, which being read, was referred to the committee of finance and sent to the Senate.

Mr. Person presented the petition of John Rainey; which being read, was referred to the committee for correcting errors in patents, and sent to the Senate.

Ordered, That the following message be sent to the Senate:

Mr. Speaker and Gentlemen:

We have added Mr. Caldwell and Mr. Withrow to the committee of propositions and grievances; Mr. Jones, Mr. Stone, Mr. Pride and Mr. Guion to the committee of finance; Mr. Stallins to the committee of claims; Mr. Wood to the committee on patents; and Mr. Pride to the committee on public bills.

Received from the Senate the following message:

Mr. Speaker and Gentlemen:

The resolution of your house prescribing rules for the government of the two houses in reading and passing bills we have received and rejected, from a belief that the mode therein pointed out will be attended with more delay than that which has heretofore been observed; we therefore propose that the rules observed by the last Assembly be adhered to by the present.

Received from the Senate the report of the committee on the petition of the inhabitants of Hyde county, endorsed "Read and concurred with;" which being read, was concurred with and returned.

Received from the Senate a bill to alter the place of holding the county court of Hyde county, from Woodstock to Bell's bay or Jasper's creek in said county, and to erect a new court-house, prison and stocks, endorsed "Read the first time and passed." This bill was taken up for the first reading in this house, passed and returned to the Senate.

Received from the Senate the petition of Philip Null and Chris-

tian Sebeau, and the petition of Ptolemy Powel, endorsed "Read and referred as by the House of Commons."

Received from the Senate a bill for building a court-house in the town of Hillsborough, for the district of Hillsborough. A bill to repeal part of the fifth section of an act of the General Assembly passed at New Bern, in the year 1784, entitled, "An act for raising a public revenue for the support of government, and to repeal an act to suppress excessive gaming." And a supplemental bill to the act, entitled, "An act concerning old titles of lands, for limitation of actions, and for avoiding suits at law." Severally endorsed "Read the first time and passed."

Mr. Hay presented the memorial of sundry of the inhabitants of the town of Fayetteville; which being read, Mr. Hay moved for leave and presented a bill to make Cross-creek navigable; which was read the first time, passed and sent to the Senate.

Received from the Senate a bill to amend an act passed at Fayetteville, in November, in the year 1786, entitled, "An act to amend an act passed at New Bern, in the year 1785, entitled, An act for increasing the jurisdiction of the county courts of pleas and quarter-sessions, and of the Justices of Peace out of court, and directing the times of holding courts in this State, and for giving to the county courts of pleas and quarter sessions a chancery jurisdiction in the cases therein mentioned;" endorsed "Read the first time and passed." This bill was taken up and read for the first reading in this house, passed and returned to the Senate.

Mr. Jones presented the memorial of John Walker; which being read, was referred to the committee of propositions and grievances and sent to the Senate.

Mr. Leigh presented two petitions from sundry of the inhabitants of the counties of Pitt, Martin and Edgecombe; which being read, Mr. Leigh moved for leave and presented a bill to pardon and consign to oblivion the offences and misconduct of certain persons; which was read the first time, passed and sent to the Senate.

Received from the Senate the petition of Francois X. Martin, and the petition of Edward Tinker, endorsed, "Read and referred as by the House of Commons." Also the petition of William Blount, endorsed "Read and referred to the committee to correct errors in patents;" and the petition and account of Allen Jones, endorsed "Read and referred to the committee of propositions and griev-

ances;" which being read, were referred as by the Senate and returned.

Received from the Senate the resignation of Frederick Hargett, of his commission as Colonel of Jones county; which being read, was accepted by this house and returned.

Received from the Senate the following message:

Mr. Speaker and Gentlemen:

We agree that the bill, together with the petitions for and against the division of Caswell county, be reported on by a joint committee, and have appointed on our parts for this purpose Mr. M'Dowall, Mr. Campbell and Mr. Clay. We have added Mr. Armstrong to the committee appointed to devise a plan for correcting errors in patents, and Mr. Clinton to the committee of claims.

Received from the Senate a bill empowering the assistant Marshals to call the inhabitants of their several divisions together at such time and place as they may appoint for the purpose of taking the enumeration thereof more effectually, endorsed "Read the first time and passed." This bill was taken up and read for the first reading in this house, passed and sent to the Senate.

Received from the Senate the petition of John Rainey, endorsed "Read and referred as by the House of Commons."

Resolved, That the committee of claims be directed in all cases not to allow any claim to any witness summoned in behalf of the State, unless it shall appear by a certificate from the Clerk of the court the defendant was insolvent, or that such defendant was discharged from cost by the court.

Received from the Senate the following message:

Mr. Speaker and Gentlemen:

We propose that the bill, together with the papers accompanying it, to pardon certain misdemeanors committed in the counties of Edgecombe, Pitt and Martin, be submitted to the consideration of a joint committee; and that this committee be directed to report specially thereon; for this purpose we have appointed Mr. Armstrong, Mr. Philips and Mr. Qualls.

Ordered, That the following message be sent to the Senate:

Mr. Speaker and Gentlemen:

We concur with the proposition of your house for committing the bill to pardon and consign to oblivion the offences of certain

persons in the counties of Martin, Edgecombe and Pitt; and have on our parts appointed Mr. Leigh, Mr. Stone, Mr. Bell, Mr. Hay and Mr. Taylor to act on that committee. Mr. Moore, Mr. Gaither, Mr. Southerland, Mr. Pride, Mr. Montgomery, Mr. Dawson, Mr. Dickins and Mr. Hay are appointed a committee on the part of this house to act with the gentlemen by you appointed to report on the petitions for and against the division of Caswell county.

Ordered, That the bill to keep open Deep-river for the passage of fish up the same, be read to-morrow for the second reading in this house.

Received from the Senate a bill to make Cross-creek navigable, endorsed "Read the first time and passed."

Ordered, That this bill be read for the second reading to-morrow.

Ordered, That the bill to repeal part of the fifth section of an act of the General Assembly, passed at New Bern, in the year 1784, entitled, "An act for raising a public revenue for the support of government, &c., be read for the second reading to-morrow, and that the bill to carry into effect a resolution of Congress, passed the 29th September, 1789, be read on Saturday next for the second reading.

The house adjourned until to-morrow morning, 10 o'clock.

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TUESDAY, November 9, 1790.

Met according to adjournment.

Ordered, That James Malloy, one of the door-keepers to this house, being unwell and unable to attend, have leave to absent himself; and that —— Pounds be appointed in his stead.

Mr. Reading presented the petition of Jeremiah Symons; which being read, Mr. Reading moved for leave and presented a bill to emancipate Davy, Joan and Abby, negro and mulatto slaves, now the property of Jeremiah Symons of Pasquotank county; which was read the first time, passed and sent to the Senate.

Mr. Ferebee moved for leave to withdraw for amendment the bill to confirm unto Thomas P. Williams, of Currituck county, an indefeasible title to two acres of land, &c. Ordered, That he have leave.

Mr. B. Smith moved for leave to withdraw for amendment the bill to repeal part of the fifth section of an act of the General Assembly, passed at New Bern in the year 1784, entitled, "An act to raise a

public revenue for the support of government," &c. Ordered, That he have leave.

Mr. Spruill presented the resignation of Stephen Swain, a Justice of the Peace for Tyrrell county; which being read, was accepted by this house and sent to the Senate.

Mr. Hamilton presented the resignation of William Dent, one of the Justices of the Peace for Guilford county; which being read, was accepted by this house and sent to the Senate.

Mr. Guion presented the petition of Wright Stanley and Thomas Turner, executors of John Wright Stanley; which being read, was referred to the committtee for correcting errors in patents, &c., and sent to the Senate.

Ordered, That the following message be sent to the Senate:

Mr. Speaker and Gentlemen:

We herewith send you the bill to keep open Deep-river for the passage of fish up the same, which we propose referring to the committee on the petition from Orange county.

The bill to make Cross creek navigable, was read the second time, amended, passed and sent to the Senate.

Received from the Senate the following message:

Mr. Speaker and Gentlemen:

We agree that the bill for keeping open Deep river, &c., be reported on by the committee appointed on the petition from Orange as by you proposed.

Received from the Senate the resignation of Andrew Bass, a Justice of the Peace for Wayne county, endorsed "Read and accepted;" which being read, was accepted by this house and returned.

Received from the Senate the petition of the executors of John Wright Stanley, endorsed "Read and referred as by the House of Commons." Received also the petition of David Baker, endorsed "Read and referred to the committee of propositions and grievances;" which being read, was referred as by the Senate and returned.

Mr. Sutherland presented the resignation of Hardy Sanders, as Justice of the Peace and Colonel of Wake county; which being read, was accepted by this house and sent to the Senate.

Received from the Senate the petition of Joseph Cunningham, endorsed "Read and referred to the committee on the petition of

inhabitants of Orange county;" which being read, was referred as by the Senate and returned.

Mr. Hawkins presented the petition of Thomas Boyd; which being read, was referred to the committee of propositions and grievances and sent to the Senate.

Mr. Creecy presented the resignation of Charles Haughton, second Major of the militia of Chowan county; which being read, was accepted by this house and sent to the Senate.

Mr. M'Dowall presented the petition of Henry Emanuel Lutterloh; which being read, was referred to the committee appointed to correct errors in patents, &c., and sent to the Senate.

Resolved, That the petition of William C. Webb and Conyers White, with the record of the superior court of Hillsborough, and all the other papers accompanying the same on its introduction, together with the report of the committee attested by the Clerk, be delivered to the petitioners or their agent, on application to the Clerk for that purpose.

Received from the Senate a bill to amend an act, entitled, "An act to amend an act, entitled, An act for altering the time of holding the annual elections and annual Assemblies, and directing the manner of electing annual officers for the succeeding year;" endorsed "Read the first time and passed." This bill was taken up and read for the first reading in this house, passed and returned to the Senate.

Received from the Senate the resignation of William Dent, and the resignation of Stephen Swain, endorsed "Read and accepted;" also the resolution of this house directing the committee of claims with respect to allowing witnesses in behalf of the State for their attendance, concurred with.

Ordered, That the following message be sent to the Senate:

Mr. Speaker and Gentlemen:

We have added Mr. Matthews and Mr. Taylor to the committee to correct errors in patents, &c., and Mr. Jasper, Mr. Handy, Mr. Jones, Mr. Nash, Mr. Pickett, Mr. Hill, Mr. Sanders and Mr. Alston, to the committee of propositions and grievances.

Received from the Senate a resolution of that house for making seven members of the committee of propositions and grievances a quorum; which being read, was rejected; Whereupon,

Resolved, That the committee of propositions and grievances be empowered to divide themselves into two committees, No. 1 and 2,

and proceed separately to act on the matters referred to them, taking care that the first twelve named on the list be formed into the first division, and the residue to compose the second, and taking care also that a proportionate number of members from each house be appointed on each committee.

Ordered, That the following message be sent to the Senate:

Mr. Speaker and Gentlemen:

We have received your message relative to the committee of propositions and grievances, which we do not fully approve of. We propose that the resolution herewith sent you be adopted in lieu thereof.

Mr. Guion presented the petition of William Wood, and others whose names are thereunto subscribed; which being read, was referred to the committee of propositions and grievances and sent to the Senate.

Received from the Senate the resignation of Hardy Sanders, as Justice and Colonel of Wake county, endorsed "Accepted."

Received from the Senate the petition of Thomas Boyd, endorsed "Read and referred as by the House of Commons." Also the resolution of this house directing the Clerk to deliver the petition and other papers relative thereto, to William C. Webb and Conyers White; concurred with.

Received from the Senate the following message:

Mr. Speaker and Gentlemen:

We have added Mr. Hargett to the committee appointed on the petition of sundry inhabitants of the counties of Edgecomb, Martin and Pitt.

Received from the Senate a bill for building a court-house in the town of Hillsborough, for the district of Hillsborough; and a bill to emancipate Davy, Joan and Abbey, negro and mulatto slaves, now the property of Jeremiah Symons, of Pasquotank county; endorsed "Read the first time and passed."

Ordered, That the former of these two bills be read for the second reading in this house to-morrow.

Received from the Senate a bill to alter the place of holding the county court of Hyde, from Woodstock to Bell's bay or Jasper's creek in said county, and to erect a new court-house, prison and stocks. And a bill directing the Entry-taker of Rutherford county

to deliver certain warrants therein mentioned to the Surveyor of said county, endorsed "Read the second time and passed."

Ordered, That these bills be read to-morrow for the second reading in this house.

The house adjourned until to-morrow morning, 10 o'clock.

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WEDNESDAY, November 10, 1790.

Met according to adjournment.

Mr. Alston presented the petition of Hance Bond, Entry-taker of Halifax county; which being read, was referred to the committee of propositions and grievances No. 2, and sent to the Senate.

Mr. B. Smith who had leave to withdraw for amendment a bill to repeal part of the fifth section of an act of General Assembly, passed at New Bern, in the year 1784, entitled, "An act for raising a public revenue for the support of government, and to repeal an act to suppress excessive gaming," delivered in the bill with the amendments; which was then taken up and read for the second reading, and the amendments made therein, was passed and sent to the Senate.

Mr. Macon moved for leave and presented a bill for cutting a navigable canal from the waters of Pasquotank river in this State, to the waters of Elizabeth river in the State of Virginia; which was read the first time, passed and sent to the Senate.

Mr. B. Smith moved for leave and presented a bill to authorise the Sheriffs of Brunswick and New Hanover counties respectively to serve writs or other process on Cape Fear river, or the branches thereof which divide the said counties; which was read the first time, passed and sent to the Senate.

Received from the Senate the following messages:

Mr. Speaker and Gentlemen:

We have added to the committee of propositions and grievances Mr. Gillespie, Mr. Bethell, Mr. Dickson and Mr. Singleton.

Mr. Speaker and Gentlemen:

We have added Mr. Stewart to the committee appointed to enquire into the propriety of keeping open Deep-river for the passage of fish.

Mr. Speaker and Gentlemen:

We have received your message proposing to convene the two

houses on Monday next in conference, in order to take into consideration the internal policy of this State, and its interests as connected with the United States; with which we do not concur.

Received from the Senate the report of the committee on the petitions of the inhabitants of the counties of Pitt, Martin and Edgecomb, endorsed "Read and concurred with." This report being read, was concurred with by this house and returned.

The bill to alter the place of holding the county court of Hyde county from Woodstock to Bell's bay or Jasper's creek in said county, and to erect a new court house, prison and stocks, was read the second time, passed and sent to the Senate.

Received from the Senate the memorial of Hance Hamilton, and the petition of Henry Emanuel Lutterloh, endorsed "Read and referred as by the House of Commons." Also the resolution of this house directing the committee of propositions and grievances to divide themselves into two committees No. 1 and 2, concurred with.

Mr. Ferebee who had leave to withdraw for amendment the bill to confirm unto Thomas P. Williams, of Currituck county, an indefeasible title to two acres of land at Bellville, in Currituck county, delivered in the bill with the amendments; which was taken up and read for the second reading, the amendments made therein, was passed and sent to the Senate.

The bill directing the Entry-taker of Rutherford county to deliver certain warrants therein mentioned to the surveyor of said county, was read the third time, amended, passed and sent to the Senate.

On a motion made by Mr. Taylor, and seconded by Mr. Macon, Resolved, That this house form itself into a committee of the whole house on Monday next, to take into consideration the propriety of giving instructions to Samuel Johnston and Benjamin Hawkins, Esquires, Senators from this State in the Congress of the United States, on the three following points, to-wit:—1. To use their unremitted and constant exertions until they effect having the doors of the Senate of the United States kept open, that the public may have access to hear the debates of the said Senate, when in its legislative capacity.—2. To correspond regularly and constantly with the Executive, during the recess of the legislature.—3. To exert themselves to have such of the journals of the Senate printed as are not of a secret nature, and transmit the same to the Executive at least once a month during each session of Congress. And on such

other matters as the committee may think proper to instruct the said Senators on.

Received from the Senate a bill to amend an act to prevent abuses in taking up stray horses, cattle, sheep and hogs, and other things therein mentioned, endorsed "Read the first time and passed." This bill was taken up and read for the first reading in this house, passed and returned to the Senate.

Received from the Senate a bill to repeal an act, entitled, "An act providing means for the payment of the domestic debt," &c. A bill to amend an act passed at Hillsborough, entitled "An act to encourage Enoch Sawyer to make a road through Pasquotank river swamp," &c. And a bill to authorise the Sheriffs of Brunswick and New Hanover counties respectively to serve writs or other process on Cape Fear river, or the branches thereof, which divide the said counties." Endorsed "Read the first time and passed."

Ordered, That the latter of these bills be read for the second reading in this house to-morrow.

Received from the Senate a bill to confirm unto Thomas P. Williams, of Currituck county, an indefeasible title to two acres of land at Bellville, in Currituck county, endorsed "Read the second time and passed."

Received from the Senate a bill to pardon and consign to oblivion the offences and misconduct of Daniel Buntin, and divers other persons of the counties of Martin, Pitt and Edgecomb, endorsed "Read the first time and passed." This bill was taken up and read for the second reading in this house, passed and returned.

Mr. Wood presented the petition of Marshall Digge; which being read, was referred to the committee appointed to correct errors in patents, &c., and sent to the Senate.

The house adjourned till to-morrow morning, 10 o'clock.

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THURSDAY, November 11, 1790.

Met according to adjournment.

Mr. Macon moved for leave and presented a bill to repeal all acts, clauses or parts of acts of the General Assembly of this State, as relate to classing tobacco; which was read the first time, passed and sent to the Senate.

Mr. Everigin moved for leave and presented a bill to enable the

wardens of the poor for the counties of Pasquotank and Carteret to build houses for the reception of the poor of the said counties, and for levying a tax to defray the expences thereof; which was read the first time, passed and sent to the Senate.

The bill to repeal an act, entitled, "An act providing means for the payment of the domestic debt, for appropriating certain monies therein mentioned, and to amend an act passed the last session of the General Assembly, entitled, An act for levying a tax for the support of government, and for the redemption of the old paper currency, continental money, specie and other certificates," and also part of another act, entitled, "an act for opening the land office for the redemption of specie and other certificates, and discharging the arrears due to the army," was read the first time, passed and sent to the Senate.

The bill to authorise the Sheriffs of Brunswick and New Hanover counties respectively to serve writs or other process on Cape Fear river, or the branches thereof, which divide the said counties, was read the second time, amended, passed and sent to the Senate.

The bill to amend an act passed at Hillsborough in 1784, entitled "An act to encourage Enoch Sawyer to make a road through Pasquotank river swamp, opposite his plantation," was read the first time, passed and sent to the Senate.

Mr. Leigh presented the petition of Joshua Skinner, Ashbury Sutton and Benjamin Perry, in behalf of the inhabitants of Perquimans county; which being read, was referred to the committee of propositions and grievances No. 2, and sent to the Senate.

The resignations of Joseph Stewart and Thomas Blackstone, two of the Justices of the Peace for Chatham county, and the resignation of Henry Smaw, one of the Justices of the Peace for Beaufort county, were accepted by this house and sent to the Senate.

The bill for building a court house in the town of Hillsborough, for the district of Hillsborough, was read the second time, amended, passed and sent to the Senate.

Mr. Gautier presented the petition of Thomas Neale and John Hall; which being read, was referred to the committee of propositions and grievances No. 2, and sent to the Senate.

Mr. Pride moved for leave and presented a bill for prohibiting the importation and admission of black persons into this State; which was read the first time, passed and sent to the Senate.

The committee of privileges and elections, to whom was referred

the remonstrance of William Little, reported—That having taken under their consideration the said remonstrance, and several depositions for and against the allegations in the said remonstrance set forth, are of opinion that the election so far as it respects Mr. Hill the sitting member, is void; and that a writ of election issue to the county of Hertford, and a new election be held for one member.—All which is submitted.

The House taking this report into consideration, concurred therewith; and Resolved, That the said election be held on Thursday and Friday the 25th and 26th instant.

Received from the Senate a bill to amend an act, entitled "An act to amend an act, entitled An act for altering the time of holding the annual elections," &c., and a bill for cutting a navigable canal from the waters of Pasquotank river in this State to the waters of Elizabeth river in the State of Virginia; endorsed "Read the first time and passed."

Ordered, That the latter of these two bills be read to-morrow for the second reading in this house.

Received from the Senate the supplemental bill to the act, entitled "An act concerning old titles of land, for limitation of actions, and for avoiding suits at law, endorsed "Read the second time and passed."

Ordered, That Mr. Haywood, Assistant Clerk to this house, have leave to absent himself from the service thereof.

The house adjourned till to-morrow morning, 10 o'clock.

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FRIDAY, November 12, 1790.

Met according to adjournment.

Mr. Bonds presented the petition of Samuel Williams; which being read, was referred to the committee of propositions and grievances No. 2, and sent to the Senate.

Mr. Bonds presented the petition of Edmund Randall; which being read, was referred to the committee of propositions and grievances No. 2, and sent to the Senate.

Received from the Senate a bill to repeal all acts, clauses and parts of acts of the General Assembly of this State as relate to classing tobacco, endorsed "Read the first time and passed." Also a bill for building a court house in the town of Hillsborough, for

the district of Hillsborough, endorsed "Read the second time and passed."

Mr. Wood presented the petition of sundry inhabitants of Richmond and Montgomery counties; which being read, Mr. Wood then moved for leave and presented a bill to prevent the building a mill on Little river of Peedee, below M'Donald's mill, and other purposes; which was read the first time, passed and sent to the Senate.

Received from the Senate the memorial of Daniel Williams, endorsed "Read and referred to the committee on the claims of the officers and soldiers settled at Warrenton in 1786;" which being read, was referred as by the Senate and returned.

Mr. Macon moved for leave and presented a bill to direct the mode of proceeding in suits brought by persons detained in slavery for the recovery of their freedom; which was read the first time, passed and sent to the Senate.

Mr. Taylor moved for leave and presented a bill to prevent any person who now does, or who may hereafter, hold any office, appointment or authority under the federal government, from being eligible to a seat in the General Assembly of this State; and to prevent any person from holding or exercising any office or appointment under the authority of the said state so long as they continue to hold or exercise any office or appointment under the authority of the United States; which was read the first time, passed and sent to the Senate.

Received from the Senate the petition of Thomas Neale, endorsed "Read and referred as by the House of Commons."

Mr. Jones, from the sub-committee to whom was referred the memorial of Francois X. Martin, of New Bern, printer, delivered in the following report:

That a collection of the statutes of Great Britain, now in force in this State, hath been long wanting, and that a publication of them would be of utmost utility: That they have conferred with the memorialist, who offers to furnish every county court and superior court within this state, with a well bound copy thereof, printed in quarto volumes of demy paper, on such a type as the specimen he tenders, of two hundred or two hundred and fifty pages each, at fifteen shillings for every hundred pages, payable on delivery of each volume; but solicits a small advance on his giving security, to be enabled to carry on the work with more expedition. Your committee deeming the terms of the memorialist very reasonable, recommend

they be accepted, and that an advance of one hundred pounds be made to him. EDW. JONES, Ch.

Resolved, That the house do concur with this report.

Mr. Person presented the petition of John Alderson, and others whose names are thereunto subscribed, setting forth that the election for members to represent Hyde county in this house has been conducted in an illegal manner, and praying relief.

Ordered, That this petition be referred to the committee of privileges and elections.

Mr. Jones moved for leave and presented a bill to alter and amend the acts for regulating the pilotage and facilitating the navigation of Cape Fear river; which was read the first time, passed and sent to the Senate.

Mr. Grove presented the petition of Wm. Lord; which being read, was referred to the committee on the claims of the officers and soldiers settled at Warrenton in 1786 and sent to the Senate.

Mr. Grove moved for leave and presented a bill to amend an act, entitled, "An act to appoint Commissioners to superintend the building a prison and stocks for the district of Fayetteville, and to levy a tax in the counties within the said district, for defraying the expences thereof," passed at Fayetteville, in the year 1788; which was read the first time, passed and sent to the Senate.

Mr. Hay moved for leave and presented a bill to alter and amend the act for the benefit of insolvent debtors; which was read the first time, passed and sent to the Senate.

Mr. Porter moved for leave and presented a bill to alter the mode of swearing petit jurors in the courts of law in this State; which was read the first time, passed and sent to the Senate.

Mr. Pride moved for leave to withdraw for amendment the bill for prohibiting the importation and admission of black persons into this State. Ordered, That he have leave.

Mr. Hay moved for leave and presented a bill to extend the limitation as to a bar to recovering in the personal actions therein named; which was read the first time, passed and sent to the Senate.

Mr. Irwin moved for leave and presented a bill for incorporating the physicians and surgeons of this State by the name of the North Carolina Medical Society; which was read the first time, passed and sent to the Senate.

Received from the Senate the petition of Edmund Randall, and

the petition of Samuel Williams, endorsed "Read and referred as by the House of Commons."

Received from the Senate a bill to enable the wardens of the poor for the counties of Pasquotank and Carteret to build houses for the reception of the poor of the said counties, and for laying a tax to defray the expence thereof, endorsed "Read the first time and passed."

Received from the Senate a bill to prevent any person who now does or who may hereafter hold any office, appointment or authority under the federal government, from being eligible to a seat in the General Assembly of this State. A bill to prevent the building a mill on the little river of Pee-dee, below M'Donald's mill, and other purposes. And a bill to direct the mode of proceeding in suits brought by persons detained in slavery, for the recovery of their freedom. Endorsed "Read the first time and passed."

Received from the Senate the petition of Matthew Stockdale, Amos Johnson and Beverly Belcher, executors of William Sugg, dec., endorsed "Read and referred to the committee appointed to correct errors in patents," &c., which being read, was referred as by the Senate and returned.

Ordered, That Mr. Dowd have leave to absent himself from the service of this house until Tuesday next, and that Mr. Ussory also have leave to absent himself from the service of the house.

Mr. David Witherspoon, one of the members for Jones county, appeared, was qualified and took his seat.

The bill for cutting a navigable canal from the waters of Pasquotank river in this State to the waters of Elizabeth river in the State of Virginia, was read the second time, passed and sent to the Senate.

Received from his Excellency the Governor the following messages:

To the honourable the General Assembly of the State of North Carolina:

Gentlemen:

I send you herewith the resignation of Wyatt Hawkins, James Taylor and Jesse Franklin, Esquires, as members of the Council of State.

ALEX. MARTIN.

To the honourable the General Assembly:

Gentlemen:

I send you herewith several authenticated copies of acts of Con-

gress passed at their last session, lately received, among which is an act for relief of the persons therein mentioned or described, with a letter from the Secretary at War on the subject of the said act.

As an act of the General Assembly of this State, passed at Tarborough, 1785, for the relief of the officers, soldiers and seamen, who have been disabled in the service of the United States during the late war, and an act passed at the same session for the relief of the widows or children of officers who have died in the service of the United States, are still in force, it appears to be necessary the said acts of Assembly be repealed, or your sense of the same otherwise communicated before the Executive comply with the requisition of the Secretary at War. ALEX. MARTIN.

To the honourable the General Assembly:

Gentlemen:

You have herewith a collection of the acts passed by the Congress of the United States at their last session, to which are annexed all the treaties made under the authority of the United States, accompanied with a letter from the Secretary of State for the United States. Also a separate authenticated copy of an act of Congress to provide more effectually for the collection of the duties imposed by law on goods, wares and merchandizes imported into the United States, and on tonnage of ships and vessels, transmitted to me from the above authority. ALEX. MARTIN.

Ordered, That Mr. Smith have leave to withdraw for amendment the bill to authorise the Sheriffs of Brunswick and New Hanover counties respectively, to serve writs, &c.

Mr. Irwin presented the memorial of William Steele; which being read, was referred to the committee of propositions and grievances No. 2, and sent to the Senate.

Mr. M'Laine presented the petition of Mark Bird; which being read, was referred to the committee of propositions and grievances and sent to the Senate.

Mr. Gautier presented the petition of Francis Bain, John Hall, William Hall and Roger Hall; which was read and referred to the committee of claims, and sent to the Senate.

Mr. Everigin moved for leave to withdraw for amendment, the bill to enable the Wardens of the poor, &c. Ordered, That he have leave.

The bill to confirm unto Thomas P. Williams, of Currituck coun-

ty, an indefeasible title to two acres of land at Bellville, in Currituck county, was read the third time, passed and sent to the senate.

Received from the Senate the memorial of William Lord, endorsed "Read and referred as by the House of Commons."

Received from the Senate the following bills, endorsed "Read the first time and passed," to-wit: A bill to prevent the building a mill on the Little river of Pee-dee, below M'Donald's mill, and other purposes. A bill to repeal all acts, clauses and parts of acts of the General Assembly of this state as relate to classing tobacco. A bill to emancipate Davy, Ammaritta, Joan and Abbey, negro and mulatto slaves, now the property of Jeremiah Symons, of Pasquotank county. A bill to prevent any person who now does, or who may hereafter, hold any office, appointment or authority under the federal government, from being eligible to a seat in the General Assembly of this State. A bill to direct the mode of proceeding in suits brought by persons detained in slavery for the recovery of their freedom. A bill to alter the mode of swearing petit jurors in the courts of law in this State. A bill for incorporating the physicians and surgeons of this State, by the name of the North Carolina Medical Society. A bill to amend an act, passed at Hillsborough in 1784, entitled "An act to encourage Enoch Sawyer to make a road through Pasquotank river swamp, opposite his plantation." A bill to extend the term of limitation as a bar to recoveries in personal action therein named. A bill to alter and amend the act for the benefit of insolvent debtors. A bill to amend an act, entitled "An act to appoint Commissioners to superintend the building a prison and stocks for the district of Fayetteville," &c. A bill to alter and amend the acts for regulating the pilotage and facilitating the navigation of Cape Fear river.

Received from the Senate the following message:

Mr. Speaker and Gentlemen:

We have added Mr. Bethel and Mr. Courtney to the committee appointed on the petitions for and against the division of Caswell county.

Ordered, That the following bills be read to-morrow for the second reading in this house, to-wit: A bill to amend an act, entitled "An act to amend an act, entitled An act to alter the time of holding the annual elections," &c. A bill to repeal all acts, clauses and parts of acts as relate to classing of tobacco. And a bill to emancipate

Ammeritta, Davie, Joan and Abbey, negro and mulatto slaves, &c.

Ordered, That the following bills be read on Monday next for the second reading in this house, to-wit: A bill to alter and amend the act for the benefit of insolvent debtors. A bill to alter the mode of swearing petit juries in the courts of law in this state.

Ordered, That the following bills be read on Tuesday next for the second reading in this house, to-wit: A bill to prevent any person who now does, or who may hereafter, hold any office, appointment or authority under the federal government, from being eligible to a seat in the General Assembly of this State. A bill to direct the mode of proceeding in suits brought by persons detained in slavery, &c. A bill to extend the term of limitation as a bar to recoveries in the personal actions therein named. And that the bill for incorporating the physicians and surgeons of this State, by the name of the North Carolina Medical Society, be read on Wednesday next for the second time.

Received from the Senate the following message:

Mr. Speaker and Gentlemen:

We propose that the petition herewith sent you, together with all the papers before this Assembly relative to the public buildings of Hyde county, be committed to the consideration of the same committee, who shall report their opinion as to the most eligible spot for erecting a court-house on.

Ordered, That the following message be sent to the Senate:

Mr. Speaker and Gentlemen:

We agree that the petition of the inhabitants of Hyde county, with all the papers relative thereto, be committed as by you proposed; and have added thereto Mr. Grove, Mr. Sanders, Mr. Dawson, Mr. Person and Mr. Fulford.

Ordered, That the following message be sent to the Senate:

Mr. Speaker and Gentlemen:

The three messages from his Excellency the Governor herewith sent, together with the references, we propose shall be committed to the committee appointed to consider of and report such bills of a public nature as are necessary to be passed into laws.

The house adjourned until to-morrow morning, 10 o'clock.

SATURDAY, November 13, 1790.

Met according to adjournment.

Mr. Caldwell presented the resignation of George Davidson, Lieutenant Colonel of Iredell county; which was read, accepted and sent to the Senate:

A bill to emancipate Ammaritta, &c., negro and mulatto slaves, now the property of Jeremiah Symons, was read the second time, passed and sent to the Senate.

Mr. Jones moved for leave and presented a bill to incorporate the tradesmen and manufacturers of the towns of Edenton, New Bern, Wilmington and Halifax; which was read the first time, passed and sent to the Senate.

Mr. Pride, who had leave to withdraw for amendment the bill for prohibiting the importation of slaves into this State, delivered in the same with the amendments; which being read the second time, was rejected.

Received from the Senate the bill to amend an act to prevent abuses in taking up stray horses, endorsed "Read the second time, amended and passed."

Mr. Mebane moved for leave and presented a bill to empower Etheldred Ruffin and others, the securities of Benjamin Caswell, late Sheriff of the county of Dobbs, to collect and account for the taxes due from the inhabitants of the said county for the year 1789; which was read the first time, passed and sent to the Senate.

Received from his Excellency the Governor the following message:

To the honourable the General Assembly:

Gentlemen:

You have herewith a letter from Egbert Haywood, Esq., Commissioner for purchasing of public tobacco at Halifax, containing a report of that business transacted by him. The other tobacco Commissioners have not yet favoured me with an answer to my circular letter to them on the above subject. A. MARTIN.

Ordered, That the following message be sent to the Senate:

Mr. Speaker and Gentlemen:

The message from his Excellency the Governor, together with the papers therein referred to, we propose shall be committed to the committee of finance.

Mr. Smith who had leave to withdraw for amendment the bill

to authorise Constables to serve warrants and other process as therein mentioned, on rivers, bays or creeks within this State, delivered in the same; which was read for the third time with the amendments, passed and sent to the Senate.

Received from his Excellency the Governor the following message:

To the Honourable the General Assembly:

Gentlemen:

This accompanies a letter addressed to me from the Hon. Dr. Williamson, one of the Agents for settling the public accounts of this State with the Commissioners of Congress. The communications he has to make respecting the improvement of the finances of the State, as he suggests, from the importance of the subject seem to demand the particular attention of the legislature.

ALEX. MARTIN.

Ordered, That the following message be sent to the Senate:

Mr. Speaker and Gentlemen:

The message from his Excellency the Governor, with the letter therein referred to, we propose shall be committed to a joint committee of both houses; and have on our part appointed Mr. Polk, Mr. Person, Mr. Macon, Mr. Lock, Mr. Hay, Mr. Stone, Mr. Witherspoon and Mr. Leigh for that purpose.

Ordered, That the following messages be sent to the Senate:

Mr. Speaker and Gentlemen:

We have added Mr. Hawkins to the committee of propositions and grievances.

Mr. Speaker and Gentlemen:

We propose that the message herewith sent you be delivered to his Excellency the Governor, should it meet your approbation. We have appointed Mr. Taylor and Mr. Smith on our part to wait on and deliver the same.

To his Excellency Alexander Martin, Esq., Governor of the State of North Carolina:

Sir:

The General Assembly of the State of North Carolina acknowledge the receipt of your several messages, containing such information

and observations, and accompanied with such papers as you deemed necessary to lay before us—we shall give them that attention which we may think essential for the public good. We return you our thanks for the same, as well as for the many and uniform marks strongly evinced in the discharge of the office you now fill.

Received from the Senate the following message:

Mr. Speaker and Gentlemen:

We have added Gen. Armstrong to the committee appointed on the petitions relative to the public buildings in Hyde county.

Mr. M'Laine presented the memorial of David Dickson; which was read, referred to the committee of claims and sent to the Senate.

Mr. Porter presented the petition of Jonathan Hampton; which was read, referred to the committee of propositions and grievances No. 1, and sent to the Senate.

The bill to repeal all acts, clauses and parts of acts of the General Assembly of this State, as relate to classing tobacco, was read the second time, passed and sent to the Senate.

Received from the Senate the following message:

Mr. Speaker and Gentlemen:

The messages from his Excellency the Governor of to-day, and other papers accompanying them, we agree shall stand referred as by you proposed.

Received from the Senate a bill to prevent horse racing at such time and place as the General Asembly shall hold their sessions; which was read the first time and rejected.

Received from the Senate the bill to amend an act, entitled "An act to appoint Commissioners to superintend the building a prison and stocks for the district of Fayetteville," &c., which was read the second time, passed and returned.

Mr. Grove moved for leave and presented a bill to keep open Rockfish creek in Cumberland county from its mouth to the forks thereof; which was read, passed the first time and sent to the Senate.

Received from the Senate a bill for vesting the property of certain negroes in the heirs of Mark Newby; which was read, passed the first time and returned.

Received from the Senate the petition of Francis Bain and others, the petition of Mark Bird, and the memorial of William Steele; severally endorsed "Read and referred as by the House of Commons."

Received from the Senate the following bills, to-wit: A bill to incorporate the tradesmen and manufacturers of the towns of Edenton, New Bern, Wilmington and Halifax. A bill to empower Etheldred Ruffin and others, the securities of Benjamin Caswell, late Sheriff of the county of Dobbs, to collect and account for the taxes due from the inhabitants thereof for the year 1789. Endorsed "Read the first time and passed." Also a bill to repeal part of the second and fifth sections of an act of the General Assembly passed at New Bern, in 1784, entitled, "An act for raising a public revenue for the support of government, and to repeal an act to suppress excessive gaming," endorsed "Read the second time and passed."

Received from the Senate a bill for regulating ordinaries, houses of entertainment, ferries, and other purposes, endorsed "Read the first time and passed;" which was read for the first time in this house, passed and returned to the Senate.

Mr. Jones presented the memorial of Thomas Haslen; which was read and referred to the committee of propositions and grievances and sent to the Senate.

Ordered, That the following message be sent to the Senate:

Mr. Speaker and Gentlemen:

We propose that the letter from the Treasurer, and its enclosures, herewith sent you, be referred to the committee of finance.

Received from the Senate the bill to carry into effect a resolution of Congress, passed the 29th of September, 1780, endorsed "Read the second time and passed;" which was read the second time in this house, amended, passed and returned.

The resignation of Michael Rogers, a Justice of the Peace for Wake county, was read and accepted.

The Speaker laid before the house the petition of Jacob Rogers, setting forth that the election for members to represent Wake county, was conducted in an illegal manner, and praying an enquiry therein, &c.

Ordered, That the said petitions be referred to the committee of privileges and elections.

Received from the Senate the following messages:

Mr. Speaker and Gentlemen:

We agree that the message from his Excellency the Governor, enclosing a letter from the Hon. Hugh Williamson, be submitted to the consideration of a joint committee as by you proposed; and have

appointed Mr. Macon, Mr. Hargett, Mr. M'Dowall, Mr. Courtney and Mr. Hill on the part of this house.

Mr. Speaker and Gentlemen:

We agree that the message from the Governor, enclosing a letter from the Commissioners for purchasing tobacco in the district of Halifax, be referred as by you proposed.

Mr. Speaker and Gentlemen:

We propose that the bill to make Cross-creek navigable, together with the petition of Mark Russell on that subject, be reported on by a joint committee; for which purpose we have appointed Mr. Riddick, Mr. M'Dowall and Mr. Dauge.

Ordered, That the following message be sent to the Senate:

Mr. Speaker and Gentlemen:

We agree that the bill to make Cross-creek navigable, together with the petition of Mark Russell, be committed as by you proposed, and have appointed for that purpose on our part, Mr. Porter, Mr. Gautier, Mr. Person, Mr. Smith, Mr. M'Laine and Mr. M'Dowall, junior.

Received from the Senate the following message:

Mr. Speaker and Gentlemen:

We have received the report of the committee on the proposals of Francois X. Martin, with which we do not concur, but propose that it be committed to the same committee.

Ordered, That the following messages be sent to the Senate:

Mr. Speaker and Gentlemen:

We agree that the report of the committee on the memorial of Francois X. Martin be recommitted as by you proposed.

Mr. Speaker and Gentlemen:

We propose that the letter from the Treasurer and its enclosures, on the subject of issuing final settlement certificates, be referred to the committee of finance.

Received from the Senate the following reports, to-wit:—On the petition of William Lewis and Samuel Harrell, on the petition of Richard Cogdell, on the petition of Ezekiel Arrington, and on the petition of Philip Null and Christian Sebeau; endorsed "Read and concurred with;" which reports being read, were severally concurred with by this house and returned.

Mr. Gautier presented the petition of Thomas Neale; which was read and referred to Mr. Bonds, Mr. Jones, Mr. Gautier and Mr. Mebane, on the part of this house and sent to the Senate.

Mr. Mebane moved for leave and presented a bill for the division of Dobbs county; which was referred to the committee to whom the bill for the division of Caswell county was referred, and sent to the Senate.

The committee appointed to correct errors in patents, to whom the petition of John Richards and others was referred, report—that there appears to be an error in the second line of said patent, which by the surveyors return runs thus, south sixty east, when it ought to have been north sixty east, which will more fully appear by a plat accompanying this report. Your committee therefore are of opinion that a bill be brought in to establish the said line to run north sixty east, agreeably to the original plat.—All which is submitted. THOMAS PERSON, Ch.

Resolved, That this house do concur with this report.

The committee appointed to correct errors in patents, to whom the petition of William Croom was referred, reported—That having taken the said petition under their consideration, and the papers relative thereto, are of opinion that they have not sufficient testimony laid before them to answer the prayer of the said petition, but are of opinion that it be recommended to the present General Assembly to pass a law for the relief of the said William Croom, and also all others familiarly circumstanced.—All which is submitted.

THOMAS PERSON, Ch.

Resolved, That the house do concur with this report.

Mr. Person from the committee appointed to correct errors, in patents, to whom the petition of James Forsyth was referred, delivered in the following report:

That after taking the said petition under consideration are of opinion, that a bill be brought in to vest the title of the lands in the said petition set forth, to James Forsyth in fee simple.—All which is submitted. THOMAS PERSON, Ch.

The house taking the foregoing report into consideration, concurred therewith: Whereupon, Mr. Person moved for leave and presented a bill to vest the title of a piece or parcel of land, lying

in Granville county, in James Forsyth and his heirs, in fee simple; which was read the first time, passed and sent to the Senate.

Whereas it appears to the satisfaction of the General Assembly, that John G. Scull lost a grant for eleven hundred and twenty-seven acres of land, located and surveyed on Duck river in his own name: Wherefore, Resolved, That the Secretary of State make out a new grant in the name of said John G. Scull for the said land, which shall be as valid to all intents as the original grant.

Ordered, That the following message be sent to the Senate:

Mr. Speaker and Gentlemen:

The bill for dividing Dobbs county, together with the petition on that subject, we propose shall be referred to the committee to whom the bill and petitions for and against the division of Caswell county were committed; and have added thereto Mr. Leigh and Mr. Handy. We have also added Mr. Scull to the committee on the petition of Adam Lawrence and claims issued at Warrenton, &c.

Received from the Senate the bill to repeal part of the second and fifth sections of an act of the General Assembly passed at New Bern, in 1784, entitled, "An act for raising a public revenue for the support of government," &c., endorsed "Read the second time and passed."

The house adjourned till Monday morning, 10 o'clock.

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Monday, November 15, 1790.

Met according to adjournment.

Mr. Charles Grandy one of the members for Camden county, appeared, was qualified and took his seat.

Ordered, That Mr. Croom have leave to absent himself from the service of this house.

Mr. Macon moved for leave to bring in a bill to carry into effect the ordinance of the Convention held at Hillsborough, in July 1788, entitled "An ordinance for establishing a place for holding the future meetings of the General Assembly, &c. Ordered, That he have leave accordingly.

Mr. Porter presented the petition of the inhabitants of Burke and Rutherford counties, praying that a county be erected agreeably to their petition: Whereupon, Mr. M'Dowall moved for leave and

presented a bill forming the western parts of Burke and Rutherford counties into a separate and distinct county.

Mr. M'Dowall then moved for leave to withdraw this bill for amendment. Ordered, That he have leave.

Mr. Bailey presented the resignation of Samuel Lowe, a Justice of the Peace for Randolph county; which was read, accepted and sent to the Senate.

Mr. Mebane presented the petition of John Bonds; which was read and referred to the committee of propositions and grievances No. 2, and sent to the Senate.

The bill to alter the mode of swearing petit juries in the courts of law in this State, was read the second time, passed and sent to the Senate.

The bill to amend an act passed at Hillsborough in 1784, entitled, "An act to encourage Enoch Sawyer to make a road through Pasquotank river swamp," was read the second time and amended: Whereupon, on motion of Mr. M'Dowall, Ordered, That it be committed to Mr. Everigin, Mr. Ferebee and Mr. Grandy on the part of this house.

Ordered That the following message be sent to the Senate:

Mr. Speaker and Gentlemen:

The bill to amend an act, passed at Hillsborough in 1784, entitled "An act to encourage Enoch Sawyer to make a road through Pasquotank river swamp," we propose shall be referred to a joint committee, and on our parts have appointed Mr. Everigin, Mr. Ferebee and Mr. Grandy.

Mr. Hay moved for leave and presented a bill to amend an act, entitled "An act for establishing courts of law and regulating the proceedings therein;" and another act, entitled "An act for giving an equity jurisdiction to the superior courts;" which was read the first time, passed and sent to the Senate.

Mr. Hay moved for leave and presented a bill to establish the tobacco warehouse now building at Fayetteville by James Ritchie and John Winslow, and to empower the county court to appoint inspectors to the same; which was read, passed the first time and sent to the Senate.

Mr. Jones moved for leave and presented a bill to amend an act, entitled "An act for the better regulation of the town of Edenton;" which was read the first time, passed and sent to the Senate.

Mr. Caldwell presented the petition of Joseph Arthur; which was read and referred to the committee of propositions and grievances No. 2, and sent to the Senate.

Mr. Mebane presented the petition of Richard Blackledge; which was read, referred to the committee of finance and sent to the Senate.

Mr. Porter presented the memorial of James Tindal; which was read, referred to the committee of propositions and grievances No. 1, and sent to the Senate.

Received from the Senate the following message:

Mr. Speaker and Gentlemen:

We consent to the reference by you made of the bill for a division of Dobbs county.

Mr. Mebane presented the petition of John Willis and others; which was read and referred to Mr. Taylor, Mr. Stone, Mr. Smith, Mr. Polk and Mr. Witherspoon on the part of this house, and sent to the Senate.

Mr. Jones from the sub-committee of finance, to whom the memorial of Francois X. Martin, of New Bern, Printer, was re-committed, delivered in the following report:

That they have conversed anew with the memorialist, who wishes to undertake an edition of the statutes of Great Britain now in force in this State, but for want of a sure sale of this collection is deterred from entering into that business without the assistance of the legislature.—Your committee find that the memorialist will be supported in this undertaking by the advice and counsel of gentlemen learned in the law, and entertain no doubt of his being capable, with this assistance, to carry on the work with accuracy. The terms on which he solicits the support of the legislature appearing very reasonable to your committee, they cannot but be well aware of the advantages which the community will reap from the publication of that part of the laws of the State which is now hidden from the public eye, nor refrain from applauding the memorialist's endeavours, and recommend that he be employed to print off an edition of the Statutes of Great Britain now in force, in quarto volumes on demy paper, with the same type as the specimen tendered, and furnish a well bound copy thereof to each superior and county court, one copy for the Secretary and two copies for the use of the General Assembly; and that he be paid after the delivery of each volume at

the rate of fifteen shillings for every hundred pages.—All which is submitted. EDWARD JONES, Ch.

Resolved, That the house do concur with this report.

Mr. Person moved for leave and presented a bill for making conformable to the plan the second course of a tract of land lying in Jones county, formerly Craven, granted by patent to John Richards, bearing date the 24th day of November, 1738, containing three hundred acres, lying on both sides of Trent river; which was read the first time, passed and sent to the Senate.

Mr. Borden moved for leave and presented a bill to establish public buildings in the county of Carteret; which was read the first time, passed and sent to the Senate.

The bill to alter and amend the acts for regulating the pilotage and facilitating the navigation of Cape Fear river, was read the second time, passed and sent to the Senate.

Received from the Senate the petition of Winston Caswell, endorsed "Read and referred to the committee of propositions and grievances No. 1;" which was read, referred as by the Senate and returned.

The bill to prevent the building a mill on the Little river of Peedee, below M'Donald's mill, and other purposes, was read the second time, and laid over until the next General Assembly.

Mr. Stone moved for leave and presented a bill to confirm unto Greenbury Sutton an indefeasible title to certain lands therein mentioned, in Perquimans county. Ordered, That this bill be committed to the committee appointed to take under consideration the petition of John Willis and others.

Ordered, That the following message be sent to the Senate:

Mr. Speaker and Gentlemen:

The bill to confirm unto Greenbury Sutton an indefeasible title to certain lands therein mentioned, in Perquimans county, we propose shall be committed to the committee appointed to take into consideration the petition of John Willis and others.

Received from the Senate the following reports, concurred with by that house, to-wit:—The report on the petition of John Richards and others, on the petition of William Croom, and on the petition of James Forsyth.

Received from the Senate the petition of Jonathan Hampton, endorsed "Read and referred as by the House of Commons."

Received from the Senate the petition of John Markland, endorsed "Read and referred to the committee appointed to correct errors in patents;" which being read, was referred as by the Senate and returned.

Received from the Senate the report of the committee on the petition of Ptolemy Powell, and on the petition of Thomas Boyd, endorsed "Read and concurred with;" which being read, were concurred with and returned.

Received from the Senate the following message:

Mr. Speaker and Gentlemen:

We do not agree to the reference by you made of the memorial of David Dickson, but propose that it shall be referred to the committee of propositions and grievances No. 1.

Ordered, That the following message be sent to the Senate:

Mr. Speaker and Gentlemen:

We agree to refer the memorial of David Dickson to the committee of propositions and grievances.

Received from the Senate the petition of Joseph Arthur, the petition of John Bonds, and the memorial of Thomas Haslen; severally endorsed "Read and referred as by the House of Commons."

Received from the Senate the following bills, endorsed "Read the first time and passed," to-wit: A bill for altering the time for holding the county court of pleas and quarter sessions for the county of Franklin. A bill for granting to the inhabitants living between the north and south forks of the Yadkin river, the privilege of holding separate general musters. A bill to amend an act, entitled, "An act for establishing courts of law," &c., and another act, entitled, "An act for giving equity jurisdiction to the superior courts." A bill to establish the tobacco warehouse now building at Fayetteville by James Ritchie, &c. A bill to keep open Rockfish creek, in Cumberland county, &c. A bill to vest the title of a piece of land lying in Granville county, in James Forsyth and his heirs, in fee-simple.

Received from the Senate the following message:

Mr. Speaker and Gentlemen:

We have received the message of your house proposing to refer the bill to encourage Enoch Sawyer to cut a road, &c., to a joint committee, with which we do not concur, being of opinion it will

only be attended with a delay of business, the bill having already undergone two readings.

Resolved, That this house do concur therewith.

Received from the Senate the following message:

Mr. Speaker and Gentlemen:

The letter from the public Treasurer, and that from Robert Fenner, Esq., late Agent for the officers of the continental line of this State, we agree shall stand referred as by you proposed.

Received from the Senate the resolution of this house directing the Secretary to make out a new grant to John G. Scull, concurred with.

Received from the Senate the resignations of Major Croom and William White, Justices of the Peace for Dobbs county; which were read, accepted and returned.

Received from the Senate the following bills, endorsed "Read the second time and passed," to-wit: A bill for cutting a navigable canal from the waters of Pasquotank river in this State, to the waters of Elizabeth river in the State of Virginia. A bill for vesting certain negroes in the heirs of Mark Newby. A bill to amend an act, entitled "An act to appoint Commissioners to superintend the building a prison and stocks for the district of Fayetteville," &c. A bill to alter the mode of swearing petit juries in the courts of law in this State. And also one other bill to amend an act, passed at Hillsborough, in 1784, entitled "An act to encourage Enoch Sawyer to make a road through Pasquotank river swamp," &c.

The order of the day being called for and read, Resolved, That the house resolve itself into a committee of the whole house to take under consideration the propriety of giving instructions to Samuel Johnston and Benjamin Hawkins, Esquires, Senators from this State in the Congress of the United States. The house resolved itself into a committee of the whole accordingly, Mr. Polk in the chair. After some time spent in committee, the Speaker resumed the chair, and Mr. Polk reported, that the committee had made some progress on the business submitted to them, but not having time to compleat the same desired leave to sit again. Ordered, That the committee have leave to sit again on Thursday next.

The house adjourned till to-morrow morning, 10 o'clock.

TUESDAY, November 16, 1790.

Met according to adjournment.

Mr. M'Dowall moved for leave and presented a bill to continue in force an act, passed at Fayetteville, 1788, entitled, "An act for giving longer time for the registering, proving and recording grants, deeds or mesne conveyances, and other instruments of writing;" which was read the first time, passed and sent to the Senate.

Mr. Macon, agreeable to order, presented a bill to carry into effect the ordinance of the Convention held at Hillsborough, entitled "An ordinance for establishing a place for holding the future meetings of the General Assembly, and the place of residence of the chief officers of the State;" which was read the first time, passed and sent to the Senate.

Mr. M'Dowall who had leave to withdraw for amendment the bill for erecting the western parts of Burke and Rutherford counties into a separate and distinct county, delivered in the same at the Clerk's table: Whereupon, the said bill was taken up and read for the first time, passed and sent to the Senate.

Mr. Bostwick moved for leave and presented a bill to compel the Clerks of the county courts of pleas and quarter-sessions within this state, to keep their offices at or near the court houses of their respective counties; which was read the first time, passed and sent to the Senate.

The bill to prevent any person who now does, or who may hereafter, hold any office, appointment or authority under the federal government, from being eligible to a seat in the General Assembly of this State, and to prevent any person from holding or exercising any office or appointment under the authority of the said State, so long as they continue to hold or exercise any office or appointment under the authority of the United States, was read the second time, amended, passed and sent to the Senate.

Mr. Polk presented the memorial of Francis Child; which was read, referred to the committee of propositions and grievances No. 2, and sent to the Senate.

Mr. M'Laine presented the petition of Joseph Dickson; which was read, referred to the committee of propositions and grievances No. 1, and sent to the Senate.

Mr. Leigh presented the petition of Edmund Hall; which was

read, referred to the committee of propositions and grievances No. 1, and sent to the Senate.

Mr. Hill presented the petition of Micajah Davis, Micajah Ratliff and James Hall; which was read and referred to the committee appointed to consider the petition of Adam Lawrence and claims issued at Warrenton, and sent to the Senate.

The bill to amend an act passed at Hillsborough, in 1784, entitled "An act to encourage Enoch Sawyer to make a road through Pasquotank river swamp, opposite his plantation," was read the second time, amended, passed and sent to the Senate.

The bill to direct the mode of proceeding in suits brought by persons detained in slavery for the recovery of their freedom, was read the second time, amended, passed and sent to the Senate.

The bill to amend an act, entitled "An act to appoint Commissioners to superintend the building a prison and stocks for the district of Fayetteville, and to levy a tax in the counties within mentioned for defraying the expence thereof," passed at Fayetteville in the year 1788, was read the third time, amended, passed and sent to the Senate.

The bill to repeal part of the second and fifth sections of an act of the General Assembly, passed at New Bern, in the year 1784, entitled, "An act for raising a public revenue for the support of government," &c., was read the third time, passed and sent to the Senate.

The bill to amend an act, entitled, "An act to amend an act for altering the time of holding the annual Assemblies, and directing the manner of electing annual officers for the succeeding year;" was read the second time, passed and sent to the Senate.

The bill to alter the mode of swearing petit jurors in the courts of law in this State, was read the third time, amended, passed and sent to the Senate.

Mr. Jones moved for leave and presented a bill to establish the town of Nash at the mouth of Cape Fear river.

Received from the Senate the following message:

Mr. Speaker and Gentlemen:

We propose that the bill to erect the western parts of Burke and Rutherford counties into a distinct county, be referred to the committee appointed on the petitions for and against the division of Caswell, and that they report specially thereon.

Ordered, That the following message be sent to the Senate:

Mr. Speaker and Gentlemen:

We agree that the bill to erect the western parts of Burke and Rutherford counties into a distinct county, be referred as by you proposed.

Mr. Witherspoon presented the memorial of William Sheppard; which was read, referred to the committee of propositions and grievances No. 2, and sent to the Senate.

Mr. Wood moved for leave and presented a bill to amend an act, passed at Fayetteville, 1788, entitled "An act to authorise and enable John Colson to return to this state and exercise the privileges therein mentioned;" which was read the first time, passed and sent to the Senate.

Received from the Senate the following message:

Mr. Speaker and Gentlemen:

The bill to alter and amend the acts for regulating the pilotage of Cape Fear river, we propose shall be reported on by a joint committee, and have appointed Mr. Wynn, Mr. Bell and Mr. Armstrong.

Ordered, That the following message be sent to the Senate:

Mr. Speaker and Gentlemen:

We agree to refer the bill to alter and amend the acts for regulating the pilotage of Cape Fear river, to a joint committee as by you proposed; and have appointed on our part, Mr. Jones, Mr. Dudley, Mr. Macon, Mr. Person and Mr. Scull.

Received from the Senate the following message:

Mr. Speaker and Gentlemen:

We consent to the reference by you made of the bill to confirm unto Greenbury Sutton certain lands, &c.

Mr. Jones moved for leave and presented a bill to repeal the fifth and sixth sections of an act passed at Hillsborough, 1784, entitled, "An act to amend an act, entitled, An act for the regulation of the town of Wilmington;" which was read the first time, passed and sent to the Senate.

Received from the Senate the following petitions and memorials, endorsed "Read and referred as by the House of Commons," to-wit: —The memorial of Francis Child, the petition of Edmund Hall, the petition of Joseph Dickson, the memorial of James Tindall, and the petition of Richard Blackledge.

The bill to alter and amend the act for the benefit of insolvent debtors, was read the third time, and the question being put, "Shall this bill pass?" was negatived; whereupon the yeas and nays were required by Mr. Hay, and are as follows, to-wit:

Yeas—Mess. Vance, Dixon, Hendly, M'Laine, Irwin, Person, Sumner, Alston, Montgomery, Jasper, Spicer, Robinson, Blewit, Porter, Sutherland, Sanders, Lewis, Hay, Sutton, Creecy, Borden, Mosby, Pride, Pickett, Dudley.—25.

Nays—Mess. Wood, Dawson, Stone, Smith, Gautier, Sawyer, Dickins, Anderson, Leigh, Hill, Peters, Bryan, Caldwell, Matthews, Yancey, Hamilton, Hannah, Cherry, Slade, Martin, Tarver, Bonds, Scull, Carrington, Mebane, Allen, Perry, Everigin, Regan, Lovell, King, Bostwick, Lock, Gaither, Philips, Brown, Macon, Hawkins, M'Kay, Fulford, Simpson, Turner, Graves, Lord, Jones, Grandy, Battle.—47.

Received from the Senate the report of the committee on the memorial of Francois X. Martin, endorsed "Read and concured with."

Received from the Senate the petition of John Willis and others, endorsed "Read and referred to Mr. Pugh, Mr. Macon and Mr. Hill;" also the petition of Micajah Davis and others, endorsed "Read and referred as by the House of Commons."

Received from the Senate the following message:

Mr. Speaker and Gentlemen:

We propose that the General Assembly ballot to-morrow, at 4 o'clock in the afternoon, for a Governor of this State the ensuing year, public Treasurer, place at which the next Assembly shall be held, and public Printers. We nominate for Governor, Alexander Martin, Esq.; for public Treasurer, John Haywood, Esq.; for the place at which the next Assembly shall be held, the towns of Pittsborough, Fayetteville, Tarborough, New Bern and Hillsborough; and for Public Printers Mess. Hodge and Wills, and Mess. Sibley and Howard.

Ordered, That the following message be sent to the Senate:

Mr. Speaker and Gentlemen:

We agree that the General Assembly ballot at 4 o'clock to-morrow evening, for a Governor the ensuing year, public Treasurer, place at which the next Assembly shall be held, and public Printer, and approve of your nomination.

A supplemental bill to the act, entitled, "An act concerning old

titles of land, for limitation of actions and for avoiding suits at law," was read the second time and rejected.

Received from the Senate the following bills, endorsed "Read the first time and passed," to-wit:—A bill to compel the Clerks of the county courts to keep their offices at or near the court houses of their respective counties. A bill for making conformable to the plan the second course of a tract of land lying in Jones county, &c. A bill to establish public landings in the county of Carteret. A bill to continue in force an act, passed at Fayetteville, 1788, entitled, "An act for giving longer time for the registering deeds," &c. A bill to carry into effect the ordinance of the Convention held at Hillsborough, in July, 1788, &c.

Received also the following bills, endorsed "Read the second time and passed," to-wit:—A bill to prevent any person who now does, or who may hereafter, hold any office, appointment or authority under the federal government, from being eligible to a seat in the General Assembly, &c. A bill for regulating ordinances, &c. A bill to repeal all acts, clauses and parts of acts as relate to classing tobacco.

Received from the Senate the following bills, endorsed "Read the third time and passed," to-wit:—A bill to carry into effect a resolution of Congress, passed the 29th of September, 1789. A bill to amend an act passed at Hillsborough, in 1784, entitled, "An act to encourage Enoch Sawyer to build a bridge," &c. A bill to alter the place of holding the courts of Hyde county, &c.

The House adjourned till to-morrow morning, 10 o'clock.

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WEDNESDAY, November 17, 1790.

Met according to adjournment.

Mr. Slade presented the resignation of John Everett, Justice of the Peace for Martin county; which was read, accepted and sent to the Senate.

Received from the Senate the petition of Edwin Harris, endorsed "Read and referred to the committee of propositions and grievances No. 1;" which being read, was referred as by the Senate and returned.

Received from the Senate the petition of John Herritage, endorsed "Read and referred to Mr. Armstrong and Mr. M'Dowall," which

being read, was referred to Mr. Stone, Mr. Hill and Mr. Mebane, on the part of this house and returned.

Mr. Caldwell moved for leave and presented a bill to alter the times of holding the courts of pleas and quarter sessions for Iredell county; which was read the first time, passed and sent to the Senate.

Mr. M'Dowall moved for leave and presented a bill directing the mode of proceeding in scrutinized elections; which was read the first time, passed and sent to the Senate.

Mr. Smith moved for leave and presented a bill to amend and repeal the several acts and parts of acts therein mentioned respecting slaves; which was read the first time, passed and sent to the Senate.

Mr. Jones moved for leave and presented a bill to increase the benefit of the county courts of pleas and quarter-sessions to the citizens of this State; which was read the first time, passed and sent to the Senate.

Resolved, That no private bill shall be received in this house after Saturday next.

Received from the Senate the following bills, endorsed "Read the first time and passed," to-wit:—A bill to repeal the fifth and sixth sections of an act passed at Hillsborough, in the year 1784, entitled "An act to amend an act, entitled, An act for the regulation of the town of Wilmington." A bill to amend an act, passed at Fayetteville, 1788, entitled, "An act to authorise and enable John Colson to return to this State," &c. A bill directing the mode of proceeding in scrutinized elections. A bill to increase the benefit of the county courts of pleas and quarter sessions to the citizens of this state. A bill to alter the time of holding the courts of pleas and quarter sessions of Iredell county. A bill to amend and repeal the several acts and parts of acts therein mentioned respecting slaves. A bill empowering the superior courts of law and equity, and the Secretary of State, to correct certain patents or grants therein described, when there have been errors by the Surveyor in making the returns, &c.

Received likewise a bill for altering the time of the annual meeting of the General Assembly, endorsed "Read the third time, amended and passed."

The bill for cutting a navigable canal from the waters of Pasquo-

tank river in this State, to the waters of Elizabeth river in the State of Virginia, was read the third time, and the question being put, "Shall this bill pass?" was carried in the affirmative; whereupon the yeas and nays were required by Mr. Jones, and are as follows, viz:

Yeas—Mess. Stone, Gautier, Sawyer, Dickins, Ferebee, Anderson, Mebane, Hill, Davis, Person, Yancey, Hamilton, Hannah, Sumner, Alston, Montgomery, Caldwell, Moore, M'Laine, Irwin, Cherry, Slade, Tarver, Bonds, Battle, Carrington, Mebane, Perry, Everigin, Reading, Lock, Gaither, Withrow, Taylor, Philips, Bailey, Brown, Regan, Lovell, Bostwick, Grove, Sutherland, Lewis, Macon, Hawkins, M'Kay, Hay, Turner, Graves, Sutton, Duke, Mosby, Pride, Grandy.—54.

Nays.—Mess. Wood, Lanier, Dawson, Smith, Stewart, M'Dowall, Vance, Dixon, Leigh, Bell, Jasper, Peters, Handy, Bryan, Matthews, E. Bryan, Polk, Butler, Martin, Scull, Spicer, Dudley, Allen, Porter, Robinson, Blewit, Thomson, King, Pender, Nash, Guion, Fulford, Simpson, Spruill, Creecy, Borden, Dowd, Lord, Jones, Pickett, Witherspoon.—41.

Mr. Jones presented the memorial of Catharine Young; which was read and referred to the committee of propositions and grievances No. 2, and sent to the Senate.

Mr. Dawson presented the petition of John Dawberley; which was read, referred to the committee to correct errors in patents and sent to the Senate.

Received from the Senate the following message:

Mr. Speaker and Gentlemen:

We propose that four members from each house be appointed to examine the engrossed bills of the present session; and have appointed Mr. Graham, Mr. Benford, Mr. Skinner and Mr. Bethell on our parts.—We have also appointed Mr. Macon and Mr. M'Dowall to superintend the balloting this evening.

Ordered, That the following message be sent to the Senate:

Mr. Speaker and Gentlemen:

We agree to your proposition that four members from each house be appointed to examine the engrossed bills of the present session, and have on our part appointed Mr. Stone, Mr. Macon, Mr. Polk and Mr. Gautier. We have also appointed Mr. Sanders and Mr. Grove to superintend the balloting this evening, and propose that

the superintendants be directed to wait on and receive the ballots of the sick absent members.

A motion was made by Mr. B. Smith, and seconded by Mr. Polk, that a proposition be made to the Senate, that the superintendants of the balloting be directed to wait on the sick absent members in town, and receive from them their votes. This being objected to the question was put and carried in the affirmative; whereupon the yeas and nays were required by Mr. Person, which are as follows, viz.:

Yeas.—Mess. Dawson, Smith, Stone, Gautier, M'Dowall, Vance, Stewart, Dickens, Ferebee, Dixon, Hill, Peters, Caldwell, Bryan, M'Laine, Moore, Irwin, Sumner, Montgomery, Jasper, Polk, Butler, Martin, Tarver, Battle, Scull, Spicer, Dudley, Mebane, Everigin, Taylor, Philips, Bailey, Brown, Regan, Robinson, Blewit, King, Bostwick, Hawkins, Nash, Hay, Spruill, Sutton, Dowd, Lord, Mosby, Pickett.—48.

Nays.—Mess. Wood, Leigh, Davis, Handy, Person, Yancey, Alston, Carrington, Sutherland, Lewis, Macon, Turner, Witherspoon. —13.

The house adjourned till 4 o'clock, P. M.

Met according to adjournment.

Mr. Butler moved for leave and presented a bill to appoint Commissioners for fixing on a place to erect a court house, prison and stocks for the county of Montgomery, &c.; which was read the first time and passed.

Ordered, That this bill, with the petitions, be committed to the committee appointed to take under consideration the bill and petitions for and against the division of Caswell county.

Mr. Mebane presented the petition of Britain Fuller; which was read and referred to the committee of propositions and grievances No. 2, and sent to the Senate.

Received from the Senate the following message:

Mr. Speaker and Gentlemen:

We agree that the superintendants be requested to wait on the sick absent members in order to receive their votes, and are now ready to proceed on the balloting.

Ordered, That the following message be sent to the Senate:

Mr. Speaker and Gentlemen:

We have appointed Mr. Taylor to superintend the balloting this evening in the room of Mr. Grove.

Mr. Polk presented the memorial of Ezekiel Wallace; which was read, referred to the committee appointed on the petition of sundry of the inhabitants of Orange county, and sent to the Senate.

Mr. Jones presented the petition of G. M'Kenzie; which was read, referred to the committee of propositions and grievances No. 2, and sent to the Senate.

Mr. Porter presented the petition of William Brown; which was read, referred to the committee of propositions and grievances No. 2, and sent to the Senate.

Received from the Senate the following message:

Mr. Speaker and Gentlemen:

We have added Mr. Skinner to the committee appointed on the petition of John Wills and others.

Received from the Senate the bill to annex part of Onslow county to the county of Jones; endorsed "Read the first time and passed."

Received from the Senate the bill to repeal an act, entitled, "An act providing means for the payment of the domestic debt, &c., endorsed "Read the second time and passed."

Received from the Senate the following message:

Mr. Speaker and Gentlemen:

The bill to direct the mode of proceeding in suits brought by persons detained in slavery, we propose shall be submitted for amendment to a joint committee, and have appointed on our parts Mr. Qualls, Mr. Graham, Mr. Hargett and Mr. Wynn.

Ordered, That the following message be sent to the Senate:

Mr. Speaker and Gentlemen:

We agree to your proposition for the commitment of the bill directing the mode of proceeding in suits brought by persons detained in slavery for the recovery of their freedom, to a joint committee, and have appointed Mr. Macon, Mr. Guion, Mr. Polk, Mr. Witherspoon, Mr. Nash, Mr. Hay and Mr. Leigh.

Whereas frequent and notorious robberies have been and are daily committed in various parts of the State, and whereas a certain Seth Collier and John Abbott are supposed to be the leaders of a gang of villains now infesting the neighborhood of this town: Therefore,

Resolved, That his Excellency the Governor be requested to issue a proclamation offering a reward of fifty pounds for apprehending the said Seth Collier or the said John Abbot, and a further reward

of twenty-five pounds for the apprehending any of their accomplices, or any person or persons guilty of highway robberies; which sums are to be paid on the conviction of the said Collier or Abbot, or any such before described robber, to the person apprehending and prosecuting to conviction, on producing a certificate from the Clerk of the Court where such conviction was had.

Resolved also, That his Excellency be informed such proclamation is to continue in force only until the meeting of the next General Assembly.

Mr. Guion presented the petition of Thomas Turner; which was read, referred to the committee appointed to correct errors in patents and sent to the Senate.

Mr. Williams presented the petition of James Cannon; which was read, referred to the committee appointed to correct errors in patents and sent to the Senate.

Mr. Hawkins from the committee of propositions and grievances, to whom was referred the petition of Joshua Skinner and others, reported—That from information it appears that a number of the people called Quakers, who reside in the county of Perquimans, have at sundry times liberated their slaves, and that many of the said slaves have been seized and sold, and the monies arising from such sales have been paid into the public treasury of this State. It also further appears that it is the wish of a number of the Quakers and others, who are inhabitants of the said county, that so much of the monies arising from the sales of those liberated slaves, as should be thought sufficient to erect a house for the reception of the poor of said county, should be appropriated to that use.—Your committee after considering the several circumstances, giving each its due weight, are of opinion they cannot with any degree of propriety grant the prayer of the petition, and do therefore recommend that it be rejected. All which is submitted. WYATT HAWKINS, Ch.

Resolved, That the house do concur with this report.

The committee of propositions and grievances, to whom was referred the petition of Mark Bird, report—On information before the committee, it appears that the said Mark Bird became bankrupt when a citizen of the state of Pennsylvania—that he has since that time become an inhabitant of this State, and wishes the legislature to substantiate the said bankruptcy.—Your committee having duly considered the circumstances, are of opinion that the legisla-

ture have nothing to do in the business, therefore reject the petition. Which is submitted. WYATT HAWKINS, Ch.

Resolved, That the house do concur with this report.

Ordered, That the following message be sent to the Senate:

Mr. Speaker and Gentlemen:

The report of the committee on the petition of John Hall and Thomas Neale, we agree shall be committed to the same committee.

This house adjourned until to-morrow morning, 10 o'clock.

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THURSDAY, November 18, 1790.

Met according to adjournment.

Mr. Taylor from the joint balloting for a Governor, public Treasurer, public Printer, and the place for the next meeting of the General Assembly, delivered in the following report, to-wit:

That Alexander Martin, Esq., was elected Governor, John Haywood, Esq., public Treasurer, and Mess. Hodge and Wills, public Printers, and that no one place in nomination for the sitting of the next General Assembly had a majority of votes.

Resolved, That the house do concur with this report.

Mr. Anderson presented the petition of Alexander M'Intosh; which was read and referred to the committee to correct errors in grants, &c., and sent to the Senate.

Mr. Gautier moved for leave and presented a bill to amend an act, entitled, "An act declaring what fences are sufficient, and to provide a remedy for abuses;" which was read the first time, passed and sent to the Senate.

Mr. Jones moved for leave to bring in a bill for levying a tax, and appointing Commissioners, for the purpose of building a district court house for the district of Wilmington. Ordered, That he have leave.

The bill to alter the place of holding the county court of Hyde county, from Woodstock to Bell's bay or Jasper's creek in said county, and to erect a new court house, prison and stocks, was read the third time, passed and ordered to be engrossed.

Ordered, That the following message be sent to the Senate:

Mr. Speaker and Gentlemen:

We propose that a joint committee be appointed to take under

consideration the extra services of the public printers of this State, and such further regulations respecting their duty in office as they may think necessary; and have on our part appointed, Mr. Porter, Mr. Taylor, Mr. Person, Mr. Polk and Mr. Jones.

The bill for building a court house in the town of Hillsborough, for the district of Hillsborough, was read the third time, amended, passed and sent to the Senate.

The bill to extend the term of limitation as a bar to recoveries in the personal actions therein named, was read the second time and rejected.

Received from the Senate the memorial of Wm. Sheppard, assignee of Richard Adams, endorsed "Read and referred as by the House of Commons."

Received from the Senate the resignation of John Everett, endorsed "Read and accepted."

Received from the Senate the following message:

Mr. Speaker and Gentlemen:

It appearing from the balloting of yesterday that no place had a majority for the sitting of the next Assembly; we propose that the two houses proceed to make their choice by ballot to-morrow evening, at 4 o'clock, and nominate the towns of Fayetteville, Tarborough, New Bern and Hillsborough. We also propose that a Council of State be ballotted for at the same time, and nominate Gen. Rutherford, Mr. Gowdy, Mr. Phifer, Mr. James Gillespie, Mr. John Williams, Mr. Bruce, Mr. Charles M'Dowall, Mr. Phil. Hawkins, Jun., (Anderson's Swamp); Mr. Thomas Overton, Mr. William Johnston, Mr. Faulcon and Mr. Thomas Eaton. In making this nomination, the Senate have been governed by a belief that there is an impropriety in electing members of Assembly to the office of Councillors of State.

Ordered, That the following message be sent to the Senate:

Mr. Speaker and Gentlemen:

We agree to ballot to-morrow evening at 4 o'clock, as by you proposed for the place for the sitting of the next General Assembly, and a Council of State, and approve of the nominations by you made. We have nominated as Councillors, Mr. Thomas Brown, Gen. Harrington, Mr. James Williamson, Mr. Charles Gallaway, Mr. George Lucas and Mr. Benjamin Williamson. Also we propose to ballot at the same time for a Colonel of Cavalry for Hillsborough

district, and nominate Mr. Samuel Benton, Mr. John Taylor and Mr. Francis Child.

The bill to prevent any person who now does, or who may hereafter, hold any office, appointment or authority under the federal government from being eligible to a seat in the General Assembly of this State, &c., was read the third time, amended, passed and sent to the Senate.

Mr. Smith, from the committee to whom was referred the bill for making Cross-creek navigable, together with the memorial of Mark Russel, reported—That it is the opinion of your committee the navigation proposed, when compleated, will be of public utility, and having considered the petitioner's objections to the said bill, they are of opinion the same are not well founded; but the committee recommend that a provision should be added to the bill, that unless the said navigation is rendered useful within three years from the passing of the bill into a law, the privileges granted therein shall be void. Which is submitted. B. SMITH, Ch.

Resolved, That the house do concur with this report.

Mr. John Hamilton, the member of the town of Edenton, appeared, was qualified and took his seat.

Mr. Dudley presented the petition of sundry of the inhabitants of Onslow county; which was read, referred to Mr. Dudley, Mr. Spicer, Mr. Borden, Mr. Grove and Mr. Jones, and sent to the Senate.

Mr. Grove presented the resignation of Solomon Porch, a Justice of the Peace for Cumberland county; which was read, accepted and sent to the Senate.

Mr. Stone presented the resignation of Simeon Spruill, second Major of the Tyrrell regiment of militia; which was read, accepted and sent to the Senate.

Mr. Creecy presented the petition of Joseph Blount; which being read, was referred to the committee of propositions and grievances No. 2, and sent to the Senate.

On a motion made by Mr. Taylor, Resolved, That on Saturday next the committee of the whole house be requested to take into consideration the propriety of the members of the General Assembly taking an oath to support the constitution of the United States, as prescribed by an act of the first session of Congress, as well as the oath prescribed in the said act to be taken by certain officers of the State, and report thereon to the house.

Received from the Senate the following petitions, endorsed "Read and referred as by the House of Commons," to-wit:—The petition of Catharine Young, the petition of William Brown, the petition of John Dawberly, the petition of James Cannon, the petition of Thomas Turner.

Received from the Senate the following message:

Mr. Speaker and Gentlemen:

On reading for the third and last time the bill for building the court house for the district of Hillsborough, &c., we propose the following amendments, viz.—1. To add the names of Wm. Cain and Wm. Cocke to the nomination of Commissioners now contained in the bill. 2. To reduce the tax in the counties of Wake, Chatham, Granville, Caswell and Randolph, from *one shilling* on the poll to *nine pence,* and from *four pence* on the hundred acres of land in said counties, to *three pence.* 3. In the last enacting clause we propose to dele the figures 30, and insert 60 in the place thereof. Should you accede to these amendments, you will send two of your members to see them made in the bill.

The question being put, "Will the house concur with the propositions of the Senate contained in the foregoing message?" was negatived; whereupon the yeas and nays were required by Mr. Person, which are as follows, viz.:

Yeas.—Mess. Wood, Dawson, Stone, Smith, Anderson, J. Mebane, Davis, Person, Yancey, Hamilton, Hannah, Alston, Peters, Bryan, Matthews, E. Bryan, Irwin, Butler, Perry, Porter, Philips, Brown, Regan, Robinson, Thomson, Bostwick, Sutherland, Sanders, Lewis, Hawkins, Pender, Graves, Spruill, Sutton, Creecy, Lord, Witherspoon.—37.

Nays.—Mess. Lanier, Stewart, M'Dowall, Vance, Sawyer, Dixon, Williams, Montgomery, Sumner, Jasper, Caldwell, Moore, M'Laine, Polk, Slade, Martin, Bonds, Scull, Dudley, Carrington, Mebane, Lock, Gaither, Taylor, Blewit, King, Houser, Grove, Macon, Nash, Guion, M'Kay, Hay, Fulford, Simpson, Turner, Borden, Dowd, Mosby, Jones, Grandy.—41.

On a motion made by Mr. Hay, and seconded by Mr. Taylor, Resolved, That the order of the day for going into a committee of the whole house be postponed till Saturday next.

Mr. Grove presented the petition of John Arnold; which being read, was referred to the committee of claims and sent to the Senate.

Received from the Senate the report of the committee on the petition of Joshua Skinner and others, endorsed "Read and concurred with."

Received from the Senate the following messages:

Mr. Speaker and Gentlemen:

The report of the committee on the petition of John Hall and Thomas Neale, we agree shall be committed to the same committee.

Mr. Speaker and Gentlemen:

We agree to ballot for a Colonel of horse for the district of Hillsborough, and propose that a Colonel of cavalry for the district of Salisbury, and second Major of horse for the district of Edenton, be balloted for at the same time. We nominate for Colonel of horse for the district of Salisbury, William Polk and William T. Lewis, Esquires, and for second Major of cavalry for Edenton district, Thomas Harvey and Patrick Garvey. We further propose that the candidates for the different military appointments having the greatest number of votes, be declared elected.

Ordered, That the following message be sent to the Senate:

Mr. Speaker and Gentlemen:

We agree to ballot for a Colonel of cavalry for the district of Salisbury, and a second Major of horse for the district of Edenton, as you propose, and approve of the nomination by you made. We further agree that the candidates for the different military appointments having the greatest number of votes be returned elected.

The house adjourned till 4 o'clock, P. M.

Met according to adjournment.

Received from the Senate the following message:

Mr. Speaker and Gentlemen:

We agree with you in the appointment of a committee to point out the extra duty of the public printers, and have appointed on the part of the Senate, Mr. Dickson, Mr. Benford and Mr. Armstrong. we propose that the bill and petition herewith sent, relative to public buildings in the county of Montgomery, be referred to the committee on the bill for dividing Caswell county.

Ordered, That the following message be sent to the Senate:

Mr. Speaker and Gentlemen:

We accede to your proposition for the commitment of the bill

and petition relative to the public buildings in the county of Montgomery, but do not concur in the amendments by you proposed to be made in the bill for building a court house in the town of Hillsborough, for the district of Hillsborough.

The house adjourned until to-morrow morning, 10 o'clock.

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FRIDAY, November 19, 1790.

Met according to adjournment.

Mr. Lock presented the petition of John Brevard, Lewis Beard and others; which being read, was referred to the committee of propositions and grievances No. 1, and sent to the Senate.

Mr. Martin presented the petition of Owen Carpenter; which being read, was referred to the committee of claims and sent to the Senate.

Ordered, That the following message be sent to the Senate:

Mr. Speaker and Gentlemen:

The bill to amend an act for establishing courts of law, and for regulating the proceedings therein; and another act, entitled, "An act for giving an equity jurisdiction to the superior courts;" together with the heads of the bill concerning the administration of justice, therewith accompanying, we propose shall be committed to a joint committee of both houses, to consist of a member from each district; and have on our part appointed Mr. Polk, Mr. M'Dowall, Mr. Person, Mr. Macon, Mr. Hamilton, Mr. Witherspoon, Mr. Smith and Mr. Hay.

The bill to vest the title of a piece or parcel of land lying in Granville county, in James Forsyth and his heirs, in fee-simple, was read the second time, amended, passed and sent to the Senate.

Mr. Hamilton presented the petition of Benjamin Jones; which being read, was referred to Mr. Everigin, Mr. Lewis, Mr. Southerland, Mr. Bonds and Mr. Irwin, and sent to the Senate.

Mr. Hamilton presented the petition of sundry merchants of Edenton; which being read, was referred to the committee appointed on the petition of Benjamin Jones and sent to the Senate.

Received from his Excellency the Governor the two following messages:

To the honorable the General Assembly of the State of North Carolina:

Gentlemen:

I lay before you herewith the account of warrants drawn upon the treasury from the 18th of December last, to the 4th of November, this instant; the vouchers are ready to accompany the same when required. ALEX MARTIN.

To the honourable the General Assembly:

Gentlemen:

I send you herewith a deed of gift of an acre of land on Ocracock Island, granted by Mess. William Williams, John Williams, Joseph Williams and William Howard, Junior, proprietors of said land, to the Governor of this State and his successors, for the purpose of erecting thereon a light-house, pursuant to an act of the Assembly passed last session. As the Commissioners cannot now proceed in erecting that building, for the reasons mentioned in their letter herewith, it will be necessary that the said land be vested in the Congress of the United States, and the Governor be authorised to convey the same for the purpose aforesaid, and that that honourable body be requested to effect the intentions of the legislature.

ALEX. MARTIN.

Ordered, That the following message be sent to the Senate:

Mr. Speaker and Gentlemen:

The message of this day's date from his Excellency the Governor, and the papers therein referred to, we propose shall be committed to a joint committee of both houses, and have on our part appointed Mr. Smith, Jones and Mr. Hay.

The bill to establish the tobacco ware house now building at Fayetteville by James Ritchie and John Winslow, and to empower the county court to appoint inspectors to the same, was read the second time, passed and sent to the Senate.

The bill to carry into effect a resolution of Congress, passed the 29th of September, 1789, was read the third time, passed, and ordered to be engrossed.

Mr. Jones presented the petition of James Richard; which being read, was referred to the committee appointed on the petition of Benjamin Jones and sent to the Senate.

The bill to amend and repeal the several acts and parts of acts

therein mentioned respecting slaves, was read the second time, and the question being put, "Shall this bill pass?" was carried in the affirmative; whereupon the yeas and nays were required by Mr. Bonds, seconded by Mr. Creecy, which are as follows:

Yeas.—Mess. Wood, Dawson, Smith, Gautier, Stewart, Vance, Sawyer, Ferebee, Anderson, Person, Hamilton, Hannah, Peters, Matthews, Moore, Polk, Slade, Martin, Spicer, Mebane, M'Laine, Perry, Everigin, Lock, Gaither, Porter, Taylor, Philips, Bailey, Brown, Houser, Bostwick, M'Kay, Guion, Spruill, Borden, Dowd, Mosby, Jones, Witherspoon, Grandy, W. Hill, Hamilton.—43.

Nays.—Mess. Lanier, Stone, M'Dowall, Dickens, Dixon, Williams, Bell, Yancey, Sumner, Alston, Montgomery, Jasper, H. Bryan, Caldwell, E. Bryan, Bonds, Dudley, Carrington, S. Allen, Withrow, Regan, Blewit, Thomson, Sutherland, Sanders, Lewis, Macon, Hawkins, Pender, Fulford, Simpson, Turner, Sutton, Creecy, Croom.—35.

Received from the Senate the following petitions, endorsed "Read and referred as by the House of Commons," to-wit:—The petition of John Arnold and the petition of Joseph Blount. Also the petition of sundry of the Inhabitants of Onslow county, endorsed "Read and referred to Mr. Snead, Mr. Bell, Mr. Hargett, Mr. Campbell and Mr. Bryan."

Received also the resignation of Solomon Porch, Justice of the Peace for Cumberland county, and the resignation of Simeon Spruill, second Major of the Tyrrell regiment of militia, endorsed "Read and accepted."

The bill to repeal all acts, clauses and parts of acts of the General Assembly of this State, as relate to the classing tobacco, was read the third time, amended, passed and sent to the Senate.

Mr. Taylor entered the following protest against the passing this bill into a law:

1. Because the arguments used in favor of this bill were, that our tobacco had suffered considerably in its reputation since the classing of it, when in fact returns from European makers have not justified such assertions; and by the present bill, any kind of tobacco, however bad, may be shipped, which surely will be attended with a worse consequence, and may finally effect that evil which is now only surmised.——2. Because the markets in Europe require for their consumption tobacco of various qualities, and we, by not dis-

criminating the qualities, give to foreigners an advantage which we should as a nation retain.——3. Because the frequent, we may say annual alterations in our inspection laws, without having by experience proofs of their inefficacy, evince the want of information in our legislature on this subject.——4. Such frequent changes deprive foreigners, who otherwise might consider our market as an object of attention, from coming among us, and circulating their specie, by purchasing our principal article of export, and vests the entire trade only with a few.

JAMES TAYLOR,
WILIAM POLK.

Received from the Senate the following message:

Mr. Speaker and Gentlemen:

We agree that the message from his Excellency the Governor, together with the papers therein referred to, shall be reported on by a joint committee, and have appointed Mr. Armstrong and Mr. Wynn to act with the gentlemen by you named.

Received from the Senate the following petitions, endorsed "Read and referred as by the House of Commons," to-wit, the petition of Ezekiel Wallace and the petition of J. Brevard, Lewis Beard and others.

Received from the Senate the following bills to-wit:—A bill to establish a town at the place fixed upon for the court house in the county of Stokes, endorsed, "Read the first time, and passed;" a bill to amend an act, passed at Fayetteville, in November, 1786, entitled "An act to amend an act passed at New Bern, in the year 1785, entitled An act for increasing the jurisdiction of the county courts of pleas and quarter sessions, and of the Justices of the Peace out of court, and directing the times of holding courts in this State," endorsed "Read the second time, amended and passed."

Received from the Senate the following message:

Mr. Speaker and Gentlemen:

We have appointed Gen. Kenan and Col. Hargett, who together with such gentlemen as you may make choice of, will wait on the Hon. Alexander Martin, Esq., and acquaint him of his late appointment of Governor of this State, and request to know when it will be convenient for him to qualify and enter on the duties of his office.

Ordered, That the following message be sent to the Senate:

Mr. Speaker and Gentlemen:

We agree to your message for appointing two members from each house to wait on Alexander Martin, Esq., and inform him of his election to the chief magistracy of this State. We have on our part of this house appointed Mr. Person and Mr. Irwin.

The bill to repeal an act, entitled, "An act providing means for the payment of the domestic debt, for appropriating certain monies therein mentioned, and to amend an act passed the last session of the General Assembly, entitled, An act for levying a tax for the support of government, and for the redemption of the old paper currency," &c., was read the second time, amended, passed and sent to the Senate.

Received from the Senate the following bills, endorsed "Read the second time and passed," to-wit:—A bill to establish the tobacco warehouse now building at Fayetteville, &c. A bill to vest the title of a piece or parcel of land in James Forsyth and his heirs, in fee simple.

The bill to increase the benefit of the county courts of pleas and quarter sessions to the citizens of this State, was read the second time, passed and sent to the Senate.

The house adjourned till 4 o'clock P. M.

Met according to adjournment.

Ordered, That the following message be sent to the Senate:

Mr. Speaker and Gentlemen:

The name of Col. Polk, at his particular request, is withdrawn from the nomination of Colonel of cavalry for the district of Salisbury; and we further add to the nomination of that appointment Colonel Robert Smith. We have appointed Mr. Hill and Mr. Mebane to superintend the balloting this evening.

Mr. Bonds presented the petition of Wilson Taylor; which being read, was referred to the committee of propositions and grievances No. 2, and sent to the Senate.

Received from the Senate the following messages:

Mr. Speaker and Gentlemen:

We are now ready to proceed on the balloting, and have appointed Mr. Hill and Mr. Clinton to conduct the same on the part of this house.

Mr. Speaker and Gentlemen:

We agree to the commitment of the several bills relative to amending the court system, and have appointed Mr. M'Dowall, Mr. Graham, Mr. Lane, Mr. Hill, Mr. Wynn, Mr. Hargett, Mr. Owen and Mr. Barnes to act with the gentlemen by you appointed.

Mr. Speaker and Gentlemen:

We have added William Lytle and Trangott Bagge to the nomination for Councillors.

Ordered, That the following message be sent to the Senate:

Mr. Speaker and Gentlemen:

We have appointed Mr. Jones to superintend the balloting this evening in the room of Mr. Mebane.

Mr. Hamilton presented the petition of the Wardens of the poor in the town of Edenton and county of Chowan; which being read, was referred to the judicial committee and sent to the Senate.

Mr. Hamilton presented the petition of Mary Cheshire, widow of John Cheshire; which being read, was referred to the committee to take under consideration the petition of B. Jones, and sent to the Senate.

Mr. Hamilton presented the petition of Edmund Blount; which being read, was referred to the committee of claims and sent to the Senate.

Mr. Hamilton presented the petition of James Jones; which being read, was referred to the committee of claims and sent to the Senate.

Received from the Senate the petition of Francois X. Martin, endorsed "Read and referred to the committee of claims;" which being read, was referred as by the Senate and returned.

Mr. Guion presented the memorial of Wm. M'Clure; which being read, was returned to the committee of claims and sent to the Senate.

Mr. Hamilton presented the petition of Thomas Mackey; which being read, was referred to the committee of claims and sent to the Senate.

The bill to empower Etheldred Ruffin, Thomas Branton, Willoughby Williams and Hymeric Hooker, the securities of Benjamin Caswell, late Sheriff of the county of Dobbs, to collect and account for the taxes due from the inhabitants of the said county for the year 1789, was read the second time, passed and sent to the Senate.

Mr. Borden moved for leave and presented a bill to prevent people from hunting on Bogue Banks, &c.; which was read the first time, passed and sent to the Senate.

Received from the Senate the petition of William Morgan; which being read, was referred to the committee of propositions and grievances No. 1, and returned to the Senate.

Received from the Senate the memorial of Simon Turner and others, endorsed "Read and referred to the committee on the petition of John Willis;" which being read, was referred as by the Senate and returned.

Received from the Senate the petition of John Hopkins, endorsed "Read and referred to the committee of propositions and grievances No. 1;" which was referred in like manner and returned.

The house adjourned till to-morrow morning, 10 o'clock.

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SATURDAY, November 20, 1790.

Met according to adjournment.

Received from the Senate the petition of Alderson Ellison, endorsed "Read and referred to the committee of propositions and grievances No. 1;" which being read, was referred as by the Senate and returned.

Resolved, That in compliance with the prayer of the petition of Charles Gerrard, the Secretary of State be directed to issue to the said Charles Gerrard, a grant for the lands to which Arthur Cotgreave, dec., was entitled, in consequence of his service as a cantinental officer in the line of this State.

The bill empowering the superior courts of law and equity, and the Secretary of State, to correct certain patents or grants therein described, when there have been errors by the Surveyor in making the returns, or by the Secretary in issuing the same, and empowering the county courts and Registers to correct errors in like manner, was read the first time, passed and sent to the Senate.

Mr. Hill, from the joint balloting for Councillors, Colonels of cavalry for Salisbury and Hillsborough districts, Major of horse for the district of Edenton, and place for the sitting of the next General Assembly, delivered in the following report, viz.—That Charles Bruce and Philemon Hawkins were elected Councillors—

Samuel Benton, Col. of cavalry for Hillsborough district—Robert Smith, Col. of cavalry for the district of Salisbury—and Thomas Harvey, second Major of horse for the district of Edenton—and that no one place in nomination for the sitting of the General Assembly had a majority.

Resolved, That the house do concur with this report.

On a motion made by Mr. M'Dowall, seconded by Mr. Polk, Resolved, That the order of the day for the house going into a committee of the whole house be postponed until Monday next.

The bill to annex part of Onslow county to the county of Jones, was read the first time, passed and sent to the Senate.

A motion was made by Mr. Guion, and seconded by Mr. Bonds, that the house enter into the following resolution, to-wit:

Resolved, That the committee of privileges and elections do make enquiry whether any of the members of this house are holders of public monies, and make report of the same.

This motion being objected to and debated, it was then moved by Mr. Polk, and seconded by Mr. ———, that the motion made by Mr. Guion be postponed, and that the order of the day be taken up; this was also objected to. The question being put, "Will the house postpone taking up the motion made by Mr. Guion?" was carried in the affirmative; whereupon the yeas and nays were required by Mr. Bonds, which are as follows, to-wit:

Yeas.—Mess. Wood, Smith, Gautier, Stewart, M'Dowall, Vance, Ferebee, Anderson, J. Mebane, Stallings, J. Hill, Hannah, Caldwell, Matthews, Moore, M'Laine, Irwin, Polk, Butler, Martin, Scull, A. Mebane, Lock, Gaither, Porter, Withrow, Taylor, Philips, Bailey, Brown, Robinson, Blewit, Lovell, King, Houser, Bostwick, Lewis, Franklin, Nash, M'Kay, Lord, Dowd, Mosby, Jones, Pickett, W. Hill—46.

Nays.—Mess. Leigh, Bell, Davis, Person, Yancey, Sumner, Montgomery, Jasper, Peters, Handy, H. Bryan, E. Bryan, Slade, Tarver, Bonds, Battle, Dudley, Carrington, Allen, Perry, Sutherland, Sanders, Macon, Pender, Guion, Simpson, Turner, Spruill, Sutton, Creecy, J. Allen, Duke, Witherspoon, Grandy, J. Hamilton, Alston, Dawson—37.

Ordered, That the following message be sent to the Senate:

Mr. Speaker and Gentlemen:

We propose that the General Assembly ballot at 4 o'clock this

evening for the place at which the next Assembly shall meet, and Councillors yet to be elected.

The bill for equalizing the land tax, was read the first time, passed and sent to the Senate.

Ordered, That Mr. Dudley have leave to absent himself from the service of this house.

Ordered, That Mr. Smith have leave to absent himself from the service of this House after December 4th.

Received from the Senate the following bills, endorsed "Read the second time and passed,"—A bill to increase the benefit of the county courts of pleas and quarter sessions to the citizens of this State; and a bill to make Cross-creek navigable. Also a bill to amend an act, entitled, "An act for the promotion of learning in the county of Currituck," &c., endorsed "Read the first time and passed."

Mr. M'Dowall moved for leave to withdraw for amendment the bill directing the mode of proceeding in scrutinized elections. Ordered, That he have leave.

The bill to amend an act, entitled, "An act for the promotion of learning in the county of Currituck, and to amend the Wilmington academy law," was read the first time, passed and sent to the Senate.

Received from the Senate a bill to establish a town at the place fixed upon for the court house in the county of Stokes, endorsed, "Read the first time and passed." This bill was taken up and read for the first reading in this house, passed and returned to the Senate.

Received from the Senate a bill for altering the time for holding the county court of pleas and quarter sessions for the county of Franklin, endorsed "Read the first time and passed." This bill was taken up and read for the first reading in this house, passed and returned to the Senate.

Received from the Senate a bill for granting to the inhabitants living between the north and south forks of the Yadkin river, the privilege of holding separate general musters, endorsed "Read the first time and passed." This bill was taken up and read for the first reading in this house, passed and returned.

Mr. Person presented the petition of John Taylor; which being read, was referred to the committee on the petition of John Willis and others.

Received from the Senate the following message;

Mr. Speaker and Gentlemen:

We have added Gen. Clinton and Gen. Kenan to the committee appointed on the petition of J. Willis.

The bill to amend an act to prevent abuses in taking up stray horses, cattle, sheep and hogs, and other things therein mentioned, was read the second time, passed and sent to the Senate.

Received from the Senate a bill to empower Etheldred Ruffin, Thomas Branton, Willoughby Williams and Hymeric Hooker, the securities of Benjamin Caswell, late Sheriff of the county of Dobbs, to collect and account for the taxes due from the inhabitants of the said county for the year 1789, endorsed "Read the second time and passed."

Received from the Senate a bill to repeal an act, entitled, "An act providing means for the payment of the domestic debt, for appropriating certain monies therein mentioned, and to amend an act passed the last session of the General Assembly, entitled, "An act for levying a tax for the support of government, and for the redemption of the old paper currency, continental money," &c., endorsed "Read the third time, amended and passed."

Mr. Alston presented a certificate from the public Treasurer, stating that Hance Hamilton and James Withrow are indebted in considerable sums to the state; which being read, was referred to the committee of privileges and elections to report thereon.

Mr. Jasper moved for leave and presented a bill directing the time and place of holding the annual elections in the county of Hyde; which was read the first time, passed and sent to the Senate.

The bill to continue in force an act passed at Fayetteville, 1788, entitled, "An act for giving longer time for the registering, proving and recording grants, deeds, mesne conveyances and other instruments of writing, was read the second time, passed and sent to the Senate.

The bill to repeal the fifth and sixth sections of an act passed at Hillsborough, in the year 1784, entitled, "An act to amend an act, entitled, An act for the regulation of the town of Wilmington," was read the second time, passed and sent to the Senate.

The bill to establish public landings in the county of Carteret, was read the second time, passed and sent to the Senate.

The bill to alter the time of holding the courts of pleas and quar-

ter sessions of Iredell county, was read the second time, passed and sent to the Senate.

The bill to amend an act, passed at Fayetteville, 1788, entitled, "An act to authorise and enable John Colson to return to this State, and exercise the privileges therein mentioned," was read the second time, passed and sent to the Senate.

Received from the Senate the resignation of Peter Qualls, a Justice of the Peace for Halifax county, endorsed "Read and accepted;" which being read, was accepted by this house and returned.

Received from the Senate the following petitions and memorials, endorsed "Read and referred as by the House of Commons, to-wit: The memorial of William M'Clure, the petition of William Morgan, the petition of Edmund Blount, the petition of James Jones, and the petition of the wardens of Chowan county.

Received also the petition of Mary Cheshire, endorsed "Read and referred to the committee of propositions and grievances No. 1;" which being read, was referred as by the Senate and returned.

The bill to amend an act passed at Hillsborough in 1784, entitled, "An act to encourage Enoch Sawyer to make a road," &c., was read the third time, passed and ordered to be engrossed.

A bill to keep open Rockfish creek in Cumberland county, was read the second time, passed and sent to the Senate.

A bill to prevent the obstruction of fish running up New river, in Onslow county, was read the first time, passed and sent to the Senate.

The bill for making conformable to the plan the second course of a tract of land, lying in Jones county, formerly Craven, granted by patent to J. Richards, &c., was read the second time, passed and sent to the Senate.

The committee to whom was referred the petition of Richard Blackledge, report—That in obedience to a resolution of the last General Assembly, it appears that he has paid to the Consul-General of France, at New York, 1625 and 1-6th dollars, with interest to the 26th day of August, which together makes as per receipt, 1691 and 25 100th dollars, for which he holds the receipt of said Agent. And it is the opinion of the committee, that he the said Richard Blackledge give the receipt of the said Agent, for the 1691 and 25-100th dollars, to the Comptroller of this State, whose receipt for the same shall be a sufficient voucher to the Clerk of Hillsborough

superior court to grant him a discharge from said judgment, on receiving the cost. And the Clerk aforesaid, Major Absalom Tatom, or his successor in office, is hereby directed to enter satisfaction on the docket or record of said court, for amount of said judgment, as confessed by Richard Blackledge in Oct., 1789, upon receiving the fees upon said suit. Which is submitted.

THOMAS PERSON, Ch.

Resolved, That the house do concur with this report.

Received from the Senate the resolve directing the Secretary to issue to Charles Gerrard, a grant for the lands to which Arthur Cotgreave, dec., was entitled, in consequence of his service as a continental officer, endorsed "Read and concurred with."

Received from the Senate the following message:

Mr. Speaker and Gentlemen:

We propose that the bill to repeal the several acts of Assembly respecting slaves, be committed to a joint committee for amendment; to which end we have appointed Mr. M'Dowall, Mr. Hargett, Mr. Courtney and Mr. Qualls.

Ordered, That the following message be sent to the Senate:

Mr. Speaker and Gentlemen:

We agree to commit the bill to repeal the several acts of Assembly respecting slaves, as by you proposed, and have on our part appointed Mr. Smith, Mr. Jones, Mr. M'Laine, Mr. Sutherland, Mr. Lock, Mr. Stone, Mr. Hamilton, Mr. Hay, Mr. Bonds.

Mr. Hawkins from the committee of propositions and grievances No. 2, delivered in the following reports:

The committee to whom was referred the petition of Samuel Williams, report—That it appears by a certificate from the Clerk of Montgomery county, that the said petitioner did recover in the court of said county, a judgment against Walter Cunningham, amounting to seventy-nine pounds and nine pence, including cost, of which sum the said Williams hath received sixteen pounds, which still leaves a balance due to the petitioner of sixty-three pounds and nine pence, as will also appear by the said certificate. It also further appears, that the said Walter withdrew himself from this and the United States, whereby his property became confiscated, and was sold, and the monies arising therefrom paid into the treasury.—Your committee therefore recommend, that the Treasurer be directed to pay

the said sum of sixty-three pounds and nine pence, if there remains as much money in the treasury that has been paid in on account of the property of the said Walter Cunningham, so confiscated and sold. Which is submitted. WYATT HAWKINS, Ch.

The committee of propositions and grievances No. 2, to whom the petition of William Steele was referred, are of opinion, that whatever certificates Mr. Steele may have purchased, he did it at his own risk; and if the vouchers in his possession are not sufficient to induce the Treasurer to issue them, that it is the business of Mr. Steele to procure such as are sufficient, and not the business of the legislature; they therefore reject the petition. Which is submitted.

WYATT HAWKINS, Ch.

The committee of propositions and grievances No. 2, to whom was referred the petition of Francis Child, Esq., report—That on duly considering the allegations set forth in the said petition, and examining the testimony in support of them, it appears to your committee the said allegations are founded in truth, and although Mr. Child was a public officer at the time he had the misfortune to have his house burned, yet your committee are of opinion, that the legislature is not bound to make good the loss of the private property of any public officer; therefore reject the petition. Which is submitted.

WYATT HAWKINS, Ch.

The committee of propositions and grievances No. 2, to whom the petition of Edmund Randall, administrator of Robert Snugg, dec., was referred, report—That from the certificate of the Clerk of the court of the county of Montgomery, it appears that the said Edmund Randall did recover as administrator of the said Robert Snugg, a judgment in the said court, of the amount of one hundred pounds, also fourteen pounds eleven shillings and four pence cost, &c., expended, against Henry Eustace M'Culloch. It also appears that the estate of the said Henry has been confiscated and sold by the several Commissioners of confiscated property, and the money arising from such sales hath been paid into the public treasury. Under these circumstances, your committee are of opinion that the Treasurer be directed to pay unto the said Edumund Randall the sum of one hundred and fourteen pounds eleven shillings and four pence, it being the amount of the judgment which the said Edmund recovered as aforesaid; provided that there is at this time as much money

in the treasury that has been paid on account of the property that belonged to Mr. M'Culloch, that was confiscated and sold by the Commissioners as aforesaid. Which is submitted.

WYATT HAWKINS, Ch.

The house taking the foregoing reports into consideration, concurred therewith.

Received from the Senate the report of the committee on the petition of Mark Bird, endorsed "Read and concurred with."

Received also the report of the committee on the petition of Joseph Cunningham, and the report of the committee on the petitions from the inhabitants of Orange and Mecklenburg counties, endorsed "Read and concurred with;" which being read, were concurred with by this house and returned.

The house adjourned till Monday morning, 10 o'clock.

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Monday, November 22, 1790.

Met according to adjournment.

Mr. Franklin presented the petition of Benjamin Cleveland; which being read, was referred on the part of this house to Mr. Guion, Mr. Houser, Mr. Lock, Mr. Sawyer and Mr. Ferebee, and sent to the Senate.

Mr. Matthews presented the petition of sundry of the inhabitants of the counties of Burke and Wilkes; which being read, Mr. Matthews then moved for leave and presented a bill to annex part of Burke and Wilkes counties to Iredell county; which was read the first time, passed and sent to the Senate.

Received from the Senate a bill for altering the place of holding the courts in the county of Randolph, and for erecting public buildings therein, endorsed "Read the first time and passed."

Mr. Polk moved for leave and presented a bill to repeal an act, passed at Fayetteville, in 1786, entitled, "An act to alter the mode of punishing horse-stealing;" which was read the first time, passed and sent to the Senate.

Mr. Wood moved for leave and presented a bill directing the Clerk of the county court of Anson to keep his office at the court-house of said county, in the town of Wadesborough; which was read the first time, passed and sent to the Senate.

Mr. Hawkins from the committee of propositions and grievances

No. 2, delivered in a report on the petition of Thomas Neale and John Hall; which being read was amended, was agreed to as follows, to-wit:

The committee of propositions and grievances No. 2, to whom the petition of Thomas Neale and John Hall was recommitted, report—That on examination it appears to your committee, that the said Thomas Neale and John Hall became securities for a certain Josiah Richardson, as Sheriff for the county of Brunswick for the year 1788: That the said Richardson has since deceased without having settled any part of the monies due from him to the public for the tax of the said year 1788, upon which the Treasurer entered judgment against the said securities for the amount of the said taxes.—Your committee on considering the circumstances in which the said securities are placed, are of opinion that every indulgence in the power of the legislature ought to be granted, and do recommend that the Treasurer be directed not to sue out execution against the said Thomas Neale and John Hall till after the sitting of the next superior court held for the district of Hillsborough; and as for the certificate part of the said debt, your committee are further of opinion, it ought to be paid in certificates, and not in money at four shillings in the pound as the said petitions require; and that in case the execution has issued and now in the hands of the Sheriff, the Sheriff be directed not to levy the same until after the next superior court for the district of Hillsborough.

Ordered, That Mr. Hamilton have leave to absent himself from the service of this house after this day, and that Mr. Nash have also leave to absent himself from the service of this house until Saturday next.

The order of the day being called for and read, Resolved, That the house do resolve itself into a committee of the whole house to take under further consideration the propriety of giving instructions to Samuel Johnston and Benjamin Hawkins, Esquires, Senators from this State in the Congress of the United States. The house accordingly resolved itself into a committee of the whole, William Polk, Esq., in the chair. After some time spent in committee the Speaker resumed the chair, and Mr. Polk reported that the committee had made further progress in the business committed to them, but not having time to compleat the same, desired leave to sit again.

Ordered, That the committee have leave to sit again to-morrow.

Ordered, That Mr. Hill and Mr. Smith be added to the committee

appointed to hear and report on the excuses of the absent members; and that any four of the committee shall be a quorum to proceed on business.

The house adjourned till to-morrow morning, 10 o'clock.

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TUESDAY, November 23, 1790.

Met according to adjournment.

Ordered, That Mr. Withrow and Mr. Watters have leave to absent themselves from the service of this house.

The bill for altering the place of holding the courts in the county of Randolph, and for erecting public buildings thereon, was read the first time, passed and sent to the Senate.

Mr. Stone moved for leave and presented a bill to amend an act, entitled, "An act directing the manner of electing Representatives to represent this State in Congress;" which was read the first time, passed and sent to the Senate.

Received from the Senate the petition of Benjamin Cleveland, endorsed "Read and referred to Mr. Singleton, Mr. Winston and Mr. Dauge."

Received from the Senate the reports of the committee on the petition of Edmund Randall, on the petition of Francis Child, on the petition of Richard Blackledge, on the petition of William Steele, and on the petition of Samuel Williams; endorsed "Read and concurred with."

Received also the petition of John Taylor, endorsed "Read and referred as by the House of Commons."

Received from the Senate the following message:

Mr. Speaker and Gentlemen:

The bill and petition for annexing part of Onslow to the county of Jones, we propose shall be reported on by the committee appointed on the petition of the inhabitants of New river.

Ordered, That the following message be sent to the Senate:

Mr. Speaker and Gentlemen:

We agree that the bill and petition for annexing part of Onslow to the county of Jones, be reported on as by you proposed.

Received from the Senate the report of the committee on the petition of Edmund Hall, and on the petition of Joseph Dixon, endorsed

"Read and concurred with;" which reports being read, were concurred with by this house and returned.

Received also a resolution of that house, directing the Treasurer to pay Joseph Dixon fifty pounds eight shillings in specie certificates; which being read, was concurred with and returned.

Ordered, That Mr. Gautier, Mr. Jones, Mr. M'Laine and Mr. Person, be a committee to prepare and bring in a bill directing the Entry-takers, Treasurer and Comptroller as to their duty in office respecting certain cases therein mentioned.

Received from the Senate the following bills, endorsed "Read the first time and passed," to-wit:—A bill directing the Clerk of the county court of Anson to keep his office at the court-house, &c. A bill to permit George Merrick to emancipate certain slaves therein mentioned. A bill directing the time and places of holding the annual elections in the county of Hyde. A bill to establish a town at the place fixed upon for the court house in the county of Surry. Also the following bills, endorsed "Read the second time and passed:"—A bill to keep open Rockfish creek, in Cumberland county, &c. A bill to establish landings in the county of Carteret. A bill for granting to the inhabitants living between the north and south forks of the Yadkin river, the privilege of holding separate general musters. A bill for altering the time of holding the county court of pleas and quarter-sessions for the county of Franklin. A bill to amend an act passed at Fayetteville, 1788, entitled, "An act to authorise and enable John Colson to return to this State," &c. A bill empowering the county courts of pleas and quarter-sessions to direct the Secretary of State to correct certain patents or grants therein described, &c. A bill to alter the times of holding the courts of pleas and quarter-sessions of Iredell county. A bill to continue in force an act, passed at Fayetteville, 1788, entitled "An act for giving longer time for the registering grants, deeds," &c. A bill for making conformable to the plan the second course of a tract of land lying in Jones county, formerly Craven, granted by patent to John Richards, &c. A bill to amend an act for the promotion of learning in the county of Currituck, &c. A bill to establish a town at the place fixed upon for the court house in the county of Stokes. A bill to prevent the obstruction of fish running up New river, in Onslow county.

Received also a bill to amend an act to prevent abuses in taking

up stray horses, cattle, &c., endorsed "Read the third time and passed."

The bill to make Cross-creek navigable, was read the third time, amended, passed and sent to the Senate.

Received also the following bills, endorsed "Read the second time and passed," to-wit:—A bill for equalizing the land tax. A bill to repeal the fifth and sixth sections of an act passed at Hillsborough, 1784, entitled, "An act to amend an act, entitled, An act for the regulation of the town of Wilmington." A bill to repeal part of an act, entitled, "An act to regulate and ascertain the several officers fees therein mentioned," &c., endorsed "Read the first time and passed."

Mr. Caldwell presented the petition of James Kerr; which being read, was referred to the committee of propositions and grievances No. 2, and sent to the Senate.

Mr. Taylor presented the petition of Nimrod Bradley and Thomas Adcock; which being read, was referred to the committee of propositions and grievances No. 2, and sent to the Senate.

Mr. Mebane presented the petition of John Umstead; which being read, was referred to the committee of propositions and grievances No. 2, and sent to the Senate.

Mr. Grove presented the memorial of George Hooper, John Ingram and Nathan Ward; which being read, was referred to the committee of propositions and grievances No. 2, and sent to the Senate.

The bill for incorporating the physicians and surgeons of this State, by the name of North Carolina Medical Society, was read the second time, passed and sent to the Senate.

Mr. Gaither presented the petition of James Craige; which being read, Mr. Gaither moved for leave and presented a bill to empower James Craige, guardian of the orphans of David Craige, dec., to sell and dispose of part of the real estate of the said David Craige, &c., which was read the first time, passed and sent to the Senate.

Mr. Jones presented the petition of sundry inhabitants of the town of Wilmington; which being read, Mr. Jones moved for leave and presented a bill to establish a town at Fort Johnston, on Cape Fear river; which was read the first time, passed and sent to the Senate.

Mr. Franklin presented the petition of sundry of the inhabitants of Wilkes county, praying to be added to the county of Surry; which being read, Mr. Franklin moved for leave and presented a bill for annexing part of the county of Wilkes to the county of Surry; which

was read the first time, and committed to the committee appointed to take under consideration the bill and petitions for and against dividing Caswell.

Mr. Robinson moved for leave and presented a bill to amend an act, entitled, "An act declaring what fences are sufficient, and to provide a remedy for abuses," so far as relates to the counties of Bladen, New Hanover and Brunswick; which was read the first time, passed and sent to the Senate.

Ordered, That the following message be sent to the Senate:

Mr. Speaker and Gentlemen:

The bill with the petition accompanying the same for annexing part of the county of Wilkes to the county of Surry, we propose shall be committed to the committee appointed on the bill and petitions for and against the division of Caswell county.

The bill to repeal part of an act, entitled, "An act to regulate and ascertain the several officers fees therein mentioned, and for altering the times of holding courts of law and equity for the districts of Edenton, New Bern and Wilmington," passed at New Bern, 1784, was read the first time, passed and sent to the Senate.

Received from the Senate the following petitions and memorials, endorsed "Read and referred as by the House of Commons," to-wit: The petition of James Kerr, the memorial of Nimrod Bradley and Thomas Adcock, the memorial of George Hooper, John Ingram and Nathan Ward, and the petition of J. Umstead.

Received from the Senate the bill to alter and amend the acts for regulating the pilotage and facilitating the navigation of Cape Fear river, endorsed "Read the second time, amended and passed."

The bill to amend an act to prevent abuses in taking up stray horses, cattle, sheep and hogs, and other things therein mentioned, was read the third time and laid over until the next General Assembly.

Received from the Senate a bill to empower James Craige, guardian of the orphans of David Craige, deceased, to sell and dispose of part of the real estate of the said David Craige, &c. And a bill to establish a town at Fort-Johnston, on Cape Fear river. Each endorsed "Read the first time and passed." Also a bill for incorporating the physicians and surgeons of this State, by the name of the North Carolina Medical Society, endorsed "Read the second time, amended and passed."

The bill to continue in force an act passed at Fayetteville, 1788,

entitled, "An act for giving longer time for the registering, proving and recording grants, deeds, mesne conveyances and other instruments of writing, was read the third time, amended, passed and sent to the Senate.

The bill empowering the county courts of pleas and quarter-sessions to direct the Secretary of State to correct certain patents or grants therein described, when there have been errors by the Surveyor in making the returns, or by the Secretary in issuing the same, was read the second time, amended, passed and sent to the Senate.

Received from the Senate two resolutions, one directing any six members of the standing committees to proceed on business; the other directing the Treasurer and Comptroller to lay before the General Assembly in the first week of their session, a list of the names of all persons indebted to the public; which being read, were concurred with and returned.

Received from the Senate the following message:

Mr. Speaker and Gentlemen:

The bill directing the manner of electing Representatives from this State to the Congress of the United States, we propose shall be referred to the consideration of a joint committee, to consist of members from each district, and have appointed on the part of this house Mr. Dixon, Mr. Graham, Mr. Courtney, Mr. Macon, Mr. Skinner, Mr. Hargett, Mr. Kenan and Mr. Clinton.

Ordered, That the following message be sent to the Senate:

Mr. Speaker and Gentlemen:

We agree that the bill directing the manner of electing Representatives from this State to the Congress of the United States, be referred to a joint committee as by you proposed, and have on our part appointed Mr. M'Dowall, Mr. M'Laine, Mr. Taylor, Mr. Polk, Mr. Person, Mr. Mebane, Mr. Hill, Mr. Hawkins, Mr. Hamilton, Mr. Stone, Mr. Guion, Mr. Witherspoon, Mr. Jones, Mr. Gautier, Mr. Hay and Mr. Grove.

Mr. Smith presented the petition of Sophia Neal and John Hall; which being read, Mr. Smith moved for leave and presented a bill to vest a certain piece of land therein described in Sophia Neal and John Hall, to make sale and dispose of two other pieces of land in Brunswick county, of the real estate of Thomas Neal, jun., dec.; which was read the first time, passed and sent to the Senate.

Received from his Excellency the Governor the following message:

To the honourable the General Assembly:

Gentlemen:

I send you herewith a letter from Mess. Stewart and Muir, for your perusal and information respecting the Martinique debt.

ALEX. MARTIN.

Ordered, That the following messages be sent to the Senate:

Mr. Speaker and Gentlemen:

The message from his Excellency the Governor, with the letter from Mess. Stewart and Muir accompanying it, relative to the Martinique debt, we propose shall be referred to the committee of finance.

Mr. Speaker and Gentlemen:

We propose that the bill to permit George Merrick to emancipate certain slaves therein mentioned, be submitted to and reported on by the committee to whom was committed the bill to amend and repeal the several acts and parts of acts therein mentioned respecting slaves.

The house adjourned until to-morrow morning, 10 o'clock.

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WEDNESDAY, November 24, 1790.

Met according to adjournment.

Received from the Senate the petition of Hugh Torrence, late Sheriff of Rowan county, endorsed "Read and referred to the committee of propositions and grievances No. 1;" which being read, was referred as by the Senate.

Mr. Gaither presented the resignation of Thomas Felps, a Justice of the Peace for Rowan county; which being read, was accepted and sent to the Senate.

Mr. Anderson presented the resignation of Roger Griffith, as Colonel of Chatham county; which being read, was accepted and sent to the Senate.

Received from the Senate the report of the committee of propositions and grievances on the petition of Jonathan Hampton, concurred with by that house; which being read, was concurred with and returned.

Received from the Senate the report of a committee of the last General Assembly on the petition of James Miller, endorsed "Refer-

red to the committee of propositions and grievances No. 1;" which being read, was referred as by the Senate and returned.

Resolved, That the Treasurer be and he is hereby directed to pay unto Edmund Randall, and unto Samuel Williams, the sums reported by the committee of propositions and grievances, concurred with by both houses, and agreeable to the said reports.

The committee to whom was referred the petition of the inhabitants of Dobbs county, reported—That having taken into their consideration the prayer of the said petitioners, the extent of the said county, the wishes of the inhabitants, and other circumstances, are of opinion that it is just and reasonable the said county should be divided into two distinct and separate counties, and that a law pass to that effect. All which is submitted.

LEVI DAWSON, Ch.

The committee to whom was referred the petition of the inhabitants of Caswell county, reported—That having taken into consideration the prayer of the said petitioners, are of opinion, that from the large extent of said county, and the large number of inhabitants residing in the same, it is just and reasonable the said county should be divided into two distinct and separate counties, and that a law be passed to that effect. All which is submitted.

LEVI DAWSON, Ch.

Resolved, That the house do concur with these reports.

The Speaker laid before the house a bill to amend and provide for the deficiencies of the revenue laws of the State; which was taken up and read for the first time, passed and sent to the Senate.

Received from the Senate a bill to vest a certain piece of land therein described in Sophia Neal, &c., endorsed "Read the first time and passed." Also a bill to repeal part of an act, entitled, "An act to regulate and ascertain the several officers fees therein mentioned," &c., endorsed "Read the second time and passed."

Received from the Senate the following messages:

Mr. Speaker and Gentlemen:

We agree to the reference by you made of the message from his Excellency the Governor of yesterday.

Mr. Speaker and Gentlemen:

We consent to the reference by you made of the bill for annexing part of the county of Wilkes to the county of Surry.

Received from the Senate the resolution of this house directing the Treasurer to pay unto Edmund Randall and Samuel Williams, the sums reported by the committee of propositions and grievances; and the report of the committee on the petition of Thomas Neal and John Hall, concurred with by that house.

Mr. E. Jones moved for leave and presented a bill to build a district court-house for the district of Wilmington; which was read the first time, passed and sent to the Senate.

Mr. Hamilton presented the memorial of Dr. Samuel Dickenson; which being read, Mr. Hamilton moved for leave and presented a bill to authorise the Commissioners of the town of Edenton to grant to Dr. Samuel Dickenson a certain water-lot in the said town; which was read the first time, passed and sent to the Senate.

The order of the day being called for and read, Resolved, That the house resolve itself into a committee of the whole house to take under further consideration the propriety of giving instructions to Samuel Johnston and Benjamin Hawkins, Esquires, Senators from this State in the Congress of the United States. The house resolved itself into a committe of the whole house accordingly, William Polk, Esq., in the chair. After some time spent therein the Speaker resumed the chair, and Mr. Polk reported the following resolutions:

Whereas, when the General Assembly of the State of North Carolina, in the session of the year 1789, did nominate and appoint Samuel Johnston and Benjamin Hawkins, Esquires, to represent the said State in the Senate of the United States, every expectation that had confidence in their integrity, opinion of their abilities, or certainty of their industry in discharging the trust reposed with them was entertained.—With regret do we add, that our constituents and ourselves too sensibly experience the evils arising from a want of that exertion in them, which if duly made, could not have failed of being highly beneficial to this State, and might have rendered a government adopted under many doubts and with some difficulty, better adapted to the dispositions of free men.

Resolved, That the Senators representing this State in the Congress of the United States, be and they are hereby directed to use their constant and unremitted exertions until they effect having the doors of the Senate of the United States kept open, that the public may

have access to hear the debates of the Senate when in its legislative or judicial capacity.

Resolved, That when in Congress they be directed to correspond regularly and constantly with the legislature, but during the recess thereof with the executive.

Resolved, That they have such of the journals as are not of a secret nature printed and transmit the same to the executive, at least once a month during each session of Congress.

Resolved, That the Senators of this State use their utmost endeavours to effect economy in the expenditure of the public monies, and to decrease the monstrous salaries given to the public officers and others; who, however much they may be deserving of the public gratitude or liberality for the eminence of past or present services, ought only to be compensated agreeable to republican economy, not enriched with the bounty of regal splendour.

Resolved, That they strenuously oppose every excise and direct taxation law, should any be attempted in Congress.

The committee of the whole house further report, that they have appointed a sub-committee in order to take under their consideration any further instructions to be forwarded to the Senators of this State in the Congress of the United States: and beg leave to recommend to the house, that the said sub-committee be empowered to report to the house by their Chairman the several resolutions they shall think the most proper to recommend, and further that they be discharged.

The sub-committee, Mr. M'Dowall, Mr. Taylor, Mr. Jones, Mr. Mebane, Mr. Irwin, Mr. Chambers, Mr. Leigh and Mr. Hay. All which is submitted. WILLIAM POLK, Ch.

Resolved, That this house do concur with the foregoing report of the committee of the whole house.

Received from the Senate the petition of Isaac Lemon; which being read, was ordered to lie on the table.

Mr. Leigh presented a letter from George Ogg, enclosing the accounts of Bryan Ward, &c.; which being read, were referred on the part of this house to Mr. M'Dowall, Mr. Person, Mr. Hay, Mr. Guion, Mr. Leigh, Mr. Jones, Mr. Franklin and Mr. Gautier, and sent to the Senate.

Ordered, That Mr. Person be added to the sub-committee appointed by a committee of the whole house.

Ordered, That Mr. Jasper and Mr. Borden have leave to absent themselves from the service of this house.

Ordered, That the bill to carry into effect the ordinance, &c., be read to-morrow for the second reading in this house.

The bill to empower Etheldred Ruffin, Thomas Branton, Willoughby Williams and Hymeric Hooker, the securities of Benjamin C well, late Sheriff of the County of Dobbs, to collect and account for the taxes due from the inhabitants of the said county for the year 1789, was read the third time, passed and sent to the Senate.

Mr. Hay presented the memorial of the merchants and others of the town of Fayetteville; which being read, was referred to the sub-committee appointed by the committee of the whole house.

Mr. Pride moved for leave and presented a bill to amend an act, passed at Hillsborough, 1784, entitled, "An act for extending the navigation of Roanoke river;" which was read the first time, passed and sent to the Senate.

Mr. E. Jones presented the petition of sundry of the inhabitants of the town of Wilmington; which being read, was referred to the sub-committee appointed by the committee of the whole house.

Mr. Polk moved for leave and presented a bill to amend an act, entitled, "An act for establishing a militia in this State;" which was read the first time, passed and sent to the Senate.

The house adjourned till to-morrow morning, 10 o'clock.

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THURSDAY, November 25, 1790.

Met according to adjournment.

Mr. Maxwell Chambers, the member for the town of Salisbury, appeared, qualified and took his seat.

Ordered, That Mr. Handy have leave to absent himself from the service of this house after Saturday.

Ordered, That the following message be sent to the Senate:

Mr. Speaker and Gentlemen:

We herewith send for your concurrence sundry resolutions expressing the sense of this house on the conduct of our Senators in the Congress of the United States, as well as giving them further instructions, which were adopted by a committee of the whole of this house, have been reported and concurred with.

Mr. Yancey presented the memorial of William Owen; which

being read, was referred to the committee of propositions and grievances No. 2, and sent to the Senate.

Mr. Sutherland presented the petition of Samuel High; which being read, Mr. Sutherland moved for leave and presented a bill to appoint Commissioners to direct and establish a gap or slope on the mill-dam of Samuel High, at the falls of Neuse river, in Wake county, and to repeal so much of an act passed at Tarborough, in the year 1787, as comes within the purview of this act; which was read the first time, passed and sent to the Senate.

Mr. Duke moved for leave and presented a bill to amend an act, entitled, "An act to prevent the exportation of unmerchantable commodities," passed at Hillsborough, 1784; which was read the first time, passed and sent to the Senate.

Mr. E. Jones presented the memorial of the executors of Samuel Swann, dec., which being read, Mr. Jones then moved for leave and presented a bill to amend an act, entitled, "An act to empower the executors of Samuel Swann, Esq., to sell part of the real estate of the said Samuel Swann;" which was read the first time, passed and sent to the Senate.

On the petition of John Taylor and James Mebane, Resolved, That the Treasurer stay the execution against the estates of John Taylor and James Mebane until the first day of June next, agreeable to the prayer of the petition of the said John Taylor and James Mebane.

Mr. Bonds presented the petition of Benjamin Wheatley; which being read, Mr. Bonds moved for leave and presented a bill to alter the names of certain persons therein mentioned; which was read the first time, passed and sent to the Senate.

Received from the Senate the resignation of Thomas Felps, a Justice of the Peace, and the resignation of Roger Griffith, as Colonel of Chatham county, accepted by that house.

The bill to repeal an act, entitled, "An act providing means for the payment of the domestic debt, for appropriating certain monies therein mentioned, and to amend an act passed the last session of the General Assembly, entitled, An act for levying a tax for the support of government, and for the redemption of the old paper currency, continental money, specie and other certificates, also part of another act, entitled, An act for opening the land-office for the redemption of specie and other certificates, and discharging the arrears due to the army," was read the third time, passed and ordered to be engrossed.

Mr. Leigh moved for leave and presented a bill for vesting the property of certain lots situated in the town of Tarborough, in Edmund Hall and his heirs; which was read, passed the first time and sent to the Senate.

Received from the Senate the following bills, endorsed "Read the first time and passed;" to-wit:—A bill to provide for the deficiencies of the revenue laws of this State. A bill to authorise William M' Clellan, of the county of Rockingham, to extend a mill-dam across Mayo river. A bill to repeal part of an act, entitled, "An act to alter the mode of punishing horse-stealing, also to repeal an act to prevent horse-stealing," passed at Fayetteville in the year 1786.

Received from the Senate a letter from the Hon. James Iredell, Esq., on the subject of the Revisal of the laws of this State; which being read, was ordered to be filed.

The bill to carry into effect the ordinance of the Convention held at Hillsborough, in July, 1788, entitled, "An ordinance for establishing a place for holding the future meetings of the General Assembly, and the place of residence of the chief officers of State," was read the second time, amended, and the question being put, "Shall this bill pass?" being objected to, the house divided, and there were for the passage fifty-one, and against it fifty-one; whereupon the Speaker gave his vote and pronounced the passage of the bill. The yeas and nays were thereupon required by Mr. Jones and seconded by Mr. Polk, and are as follows, viz:

Yeas.—Mess. Grice, Lanier, Dawson, Stone, Macon, Sawyer, Dickens, Ferebee, Croom, Leigh, B. Bell, J. Hill, A. Davis, Person, Yancey, Sumner, Alston, Montgomery, Jasper, Peters, Handy, H. Bryan, E. Bryan, Cherry, Slade, Tarver, Bonds, Battle, Carrington, S. Allen, Perry, Everagin, Reading, Sutherland, Sanders, Hawkins, Pender, Guion, Fulford, Simpson, Turner, Spruill, Sutton, Creecy, Borden, J. Allen, Duke, Pride, Witherspoon, Grandy, J. Hamilton, S. Cabarrus, Esq., Speaker.—52.

Nays.—Mess. Wood, B. Smith, Gautier, Stewart, M'Dowall, Vance, Anderson, J. Mebane, Dixon, Stallings, Hannah, Caldwell, Matthews, I Moore, M'Laine, Irwin, Polk, Butler, Ussory, Martin, Scull, Spicer, A. Mebane, Lock, Gaither, Porter, Philips, Bailey, Taylor, N. Brown, Regan, Robinson, Blewit, Lovell, Thomson, King, Houser, Bostwick, Grove, Lewis, Franklin, M'Kay, Hay, Graves, Dowd, Lord, Mosby, Jones, Pickett, W. Hill, Chambers.—51.

The bill for altering the time of the annual meeting of the General Assembly, was read the third time, passed and ordered to be engrossed.

Received from the Senate the following message of the 22d instant:

Mr. Speaker and Gentlemen:

It is the sense of this house that the General Assembly ballot on Saturday next, at 4 o'clock in the afternoon, for the Councillors of State yet to be made choice of, and the place at which the next Assembly shall be held, and continue the nominations first made. The proposition of your house for balloting on Tuesday evening, we have received and rejected.

Ordered, That the following message be sent to the Senate:

Mr. Speaker and Gentlemen:

We have agreed to your proposition for balloting on Saturday next for the Councillors yet to be elected, and place at which the next Assembly shall be held.

Received from the Senate the resolution of this house on the petition of John Taylor and James Mebane, concurred with.

Received from the Senate the petition of William Owen, endorsed "Read and referred as by the House of Commons." Also the letter from George Ogg, enclosing the accounts of Bryan Ward, endorsed "Read and referred to Mr. Hargett, Mr. Nesbit, Mr. Hill, Mr. Skinner and Mr. M'Dowall."

The bill to authorise William M'Clellan, of the county of Rockingham, to extend a mill-dam across the Mayo river, was read the first time, passed and sent to the Senate.

The bill for vesting the property of certain negroes in the heirs of Mark Newby, was read the second time, passed and sent to the Senate.

The bill to vest the title of a piece or parcel of land in Granville county, in James Forsyth and his heirs, in fee-simple, was read the third time, passed and sent to the Senate.

The bill to repeal part of an act, entitled, "An act to regulate and ascertain the several officers fees therein mentioned, and for altering the times of holding courts of law and equity for the districts of Halifax, Edenton, New Bern and Wilmington," passed at New Bern, 1784, was read the second time, passed and sent to the Senate.

The bill to establish a town at the place fixed upon for the court

house in the county of Surry, was read the first time, passed and sent to the Senate.

Ordered, That Mr. Sumner have leave to absent himself from the service of this house after Saturday.

The bill to repeal the fifth and sixth sections of an act passed at Hillsborough, in the year 1784, entitled, "An act to amend an act, entitled, An act for the regulation of the town of Wilmington," was read the third time, passed and sent to the Senate.

The bill directing the time and places of holding the annual elections in the county of Hyde, was read the second time, passed and sent to the Senate.

The bill to establish the tobacco ware-house now building at Fayetteville by James Ritchie and John Winslow, and to empower the county court to appoint inspectors to the same, was read the third time, passed and sent to the Senate.

The bill to empower James Craige, guardian of the orphans of David Craige, dec., to sell and dispose of part of the real estate of the said David Craige for the payment of the debts due by him to the public, was read the second time, passed and sent to the Senate.

The bill to amend an act, entitled, "An act for the promotion of learning in the county of Currituck, and to amend the Wilmington academy law," was read the second time, passed and sent to the Senate.

The bill for making conformable to the plan the second course of a tract of land, lying in Jones county, formerly Craven, granted by patent to John Richards, bearing date the 24th day of November, 1738, containing three hundred acres, lying on both sides of Trent river, was read the third time, passed and sent to the Senate.

The bill to alter the times of holding the courts of pleas and quarter-sessions of Iredell county, was read the third time, passed and sent to the Senate.

The bill for altering the time for holding the county court of pleas and quarter-sessions for the county of Franklin, was read the second time, passed and sent to the Senate.

The bill to amend an act, passed at Fayetteville, 1788, entitled, "An act to authorise and enable John Colson to return to this State, and exercise the privileges therein mentioned," was read the third time, passed and sent to the Senate.

The bill directing the Clerk of the county court of Anson to keep

his office at the court-house of said county, in the town of Wadesborough, was read the second time, passed and sent to the Senate.

Received from the Senate the following message:

Mr. Speaker and Gentlemen:

We have added Mr. Charles Johnson to the judicial committee, to the committee on finance, and the committee to report on the letter from George Ogg.

Received likewise the following bills, severally endorsed "Read the first time and passed," to-wit:—A bill to authorise the Commissioners of the town of Edenton to grant to Dr. Samuel Dickenson a certain water-lot in the said town. A bill to amend an act passed at Hillsborough, 1784, entitled, "An act for extending the navigation of Roanoke river." A bill to appoint Commisioners to establish a gap or slope on the mill-dam of Samuel High, at the falls of Neuse river, in Wake county. A bill for building a court-house in the town of Wilmington. A bill for vesting certain lots in the town of Tarborough in Edmund Hall and his heirs. A bill to amend an act, entitled, "An act to prevent the exportation of unmerchantable commodities," passed at Hillsborough, 1784. A bill to alter the names of certain persons therein mentioned. A bill to amend and extend the powers given in an act, entitled, "An act to empower the administrators of Samuel Swann, of New Hanover county, dec., to sell and dispose of part of the real estate of the said Samuel for the payment of his debts, &c. A bill for raising a revenue for the payment of the civil list and contingent charges of government for the year 1791.

Received from the Senate the resignation of John Huske, Justice of the Peace for New Hanover county, also the resignation of Joseph Rosser, first Major of the militia for Chatham county, endorsed "Read and accepted;" which being read in this house, were accepted and returned.

Received from the Senate the report of the committee on the petition of John Herritage, late Commissioner of confiscation in Dobbs county, concurred with by that house; which being read, was concurred with by this house and returned.

The house adjourned until to-morrow morning, 10 o'clock.

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FRIDAY, November 26, 1790.

Met according to adjournment.

Mr. Lock presented the petition of Prudence Durphie, administratrix, and John Winn and Hugh Carson, administrators on the estate of William Durphie; which being read, Mr. Lock moved for leave and presented a bill to empower Prudence Durphie, administratrix, John Winn and Hugh Carson, administrators of William Durphie, dec., to sell a tract of land in the county of Iredell for the payment of his debts, and to convey the same to the purchaser; which was read the first time, passed and sent to the Senate.

Mr. Leigh moved for leave and presented a bill for subscribing on loan, in the office of the Commissioner of the United States, such continental monies and continental and state securities as are or may be in the hands of the Treasurer or Comptroller of this State belonging to the public, or which shall be in the hands of either of them on the last day of September next, and for appropriating certain monies as therein mentioned; which was read the first time, passed and sent to the Senate.

Mr. E. Jones presented the memorial of Philip Logan, Daniel M'Allister and John Campbell; which being read, was referred to the committee of propositions and grievances No. 2, and sent to the Senate.

The committee to whom was referred the petition of Henry Emanuel Lutterloh, reported—That on considering the allegations in the said petition set forth, they are of opinion that the emigration of artisans into this State will be of great public utility, and do therefore recommend a bill to authorise the said Henry Emanuel Lutterloh to carry into effect his intended plan conformable to the prayer of his petition.—Which is submitted. THOMAS PERSON, Ch.

The house taking this report into consideration, concurred therewith. Whereupon,

Mr. Person moved for leave and presented a bill to authorise Henry Emanuel Lutterloh to raise by way of lottery, a sum sufficient to bring into this state foreigners, who are artisans in various branches of business; which was read the first time, passed and sent to the Senate.

The bill for dividing the county of Caswell, was read the second time, and the question being put, "Shall this bill pass?" was negatived: Whereupon the yeas and nays were required by Mr. Dickins. and seconded by Mr. Graves; which are as follows, viz:

Yeas.—Mess. Dawson, M'Dowall, Vance, Dickens, Yancey, Han-

nah, H. Bryan, E. Bryan, M'Laine, Polk, Ussory, Bonds, Carrington, A. Mebane, Everigin, Porter, Taylor, Philips, Bailey, Brown, Grove, Sutherland, Lewis, Hawkins, Pender, Guion, Hay, Graves, W. Hill.—29.

Nays.—Mess. Wood, Lanier, Stone, Smith, Stewart, Sawyer, Ferebee, Anderson, Dixon, Stallings, Leigh, J. Hill, A. Davis, Person, Allison, Montgomery, Jasper, Peters, Irwin, Slade, Butler, Martin, Scull, Spicer, Perry, Reading, Lock, Gaither, Regan, Robeson, Blewit, Lovell, Thomson, King, Houser, Bostwick, Macon, Simpson, Turner, Spruill, Sutton, Creecy, Borden, Duke, Dowd, Mosby, Pride, Witherspoon, J. Hamilton, Matthews.—50.

Mr. Guion presented the memorial of Joseph Leech; which being read, was referred to the committee of claims and sent to the Senate.

The Chairman of the committee on the judicial system, delivered in the following report:

Your committee to whom the judicial system was referred, report —That after mature deliberation they are of opinion a change in the present constitution of the superior courts of law and equity is absolutely necessary. That they have examined the two systems laid before them and have adopted the one proposed by Mr. Moore; which they beg leave to recommend with some few amendments made by the committee.—Which is submitted. BENJ. SMITH, Ch.

Mr. B. Smith moved for leave and presented a bill to regulate the administration of justice; which was read the first time, passed and sent to the Senate.

Mr. Porter moved for leave to withdraw for amendment the bill to increase the benefit of the county courts, &c. Ordered, That he have leave.

The bill for raising a revenue for the payment of the civil list and contingent charges of government for the year 1791, was read the first time, passed and sent to the Senate.

Received from the Senate the following bills, endorsed "Read the first time and passed," viz:—A bill directing the manner in which the real soldier or honest claimant, among those who had military accounts settled at Warrenton in the year 1786, shall obtain certificates, &c. A bill to authorise Henry Emanuel Lutterloh to raise by way of lottery a sum sufficient to enable him to bring into this State foreigners, &c. A bill to regulate and fix the prices for inspecting and coopering tobacco. A bill to empower Prudence Durphie, adm'x

and John Winn and Hugh Carson, administrators of Wm. Durphie, dec. to sell a tract of land in the county of Iredell, &c. Received likewise a bill empowering the county courts of pleas and quarter-sessions to direct the Secretary of State to correct certain patents or grants therein described, &c. And a bill for altering the time for holding the county courts of pleas and quarter-sessions for the counties of Franklin and Iredell, endorsed "Read the third time and passed."

The bill to amend an act, passed at Fayetteville, in November, 1786, entitled "An act to amend an act passed at New Bern, in the year 1785, entitled, An act for increasing the jurisdiction of the county courts of pleas and quarter-sessions, and of the Justices of the Peace out of court, and directing the times of holding courts in this State," was read the second time, passed and sent to the Senate.

The bill to alter and amend the acts for regulating the pilotage and facilitating the navigation of Cape Fear river, was read the third time, passed and sent to the Senate.

The bill for regulating ordinaries, houses of entertainment, &c., was read the second time and rejected.

The committee to whom the memorial of Simon Turner, David Turner, William Turner and Jonathan Turner, for themselves and Elizabeth and Ann Turner, surviving children of their elder brother John Turner, dec., reported—That Simon Turner, late of Wake county, dec., by his last will and testament in writing, devised to the aforesaid petitioners his sons, certain lands and tenements for life only—That by clear and satisfactory testimony, it further appears that the said testator intended the lands so devised should descend to his said sons the petitioners, their heirs and assigns, forever; wherefore the committee beg leave to recommend, that a law be passed, vesting in them the said petitioners an estate in fee-simple to the lands so devised, agreeable to the will of the testator. Which is submitted. WILLIAM POLK, Ch.

Resolved, That the house do concur with this report.

Mr. Polk moved for leave and presented a bill to establish the titles of certain lands in Simon, David, William and Jonathan Turner; which was read the first time, passed and sent to the Senate.

The committee to whom the bill to confirm unto Greenbury Sutton an indefeasible title to certain lands therein mentioned, in Perquimans county, was committed, reported—That on examining the bill, together with the depositions and other testimony adduced by the

said Greenbury Sutton, in support of his title to the lands described in the preamble of the said bill, it plainly appeared to the committee he has a good equitable title to the same; therefore they recommend that it be passed into a law. Which is submitted.

Resolved, That the house do concur with this report.

Mr. Polk moved for leave and presented a bill to confirm unto Greenbury Sutton an indefeasible title to certain lands therein mentioned, in Perquimans county; which was read the first time, passed and sent to the Senate.

The bill to establish a town at Fort-Johnston, on Cape Fear river, was read the second time and rejected.

The bill directing the manner in which the real soldier or honest claimant, among those who had military accounts settled at Warrenton, in the year 1780, shall obtain certificates, and making provision for such claimants whose accounts are yet unsettled, was read the first time, passed and sent to the Senate.

Mr. Franklin presented the petition of sundry of the inhabitants of Washington county, &c., which being read, Mr. Franklin moved for leave and presented a bill to erect that part of Wilkes county lying west of the Apalachian mountains, and part of Washington county, into a separate and distinct county, by the name of ———; which was read the first time, passed and sent to the Senate.

The bill to incorporate the tradesmen and manufacturers of the towns of Edenton, New Bern, Wilmington and Halifax, was read the second time, passed and sent to the Senate.

The bill to cede and vest in the United States of America, the lands therein mentioned, for the purpose of building light-houses, was read the first time, passed and sent to the Senate.

The bill to vest a certain piece of land therein described in Sophia Neale, and to authorise the said Sophia Neale and John Hall to make sale and dispose of two other pieces of land in Brunswick county, of the real estate of the late Thomas Neale, jun., dec.; was read the second time, passed and sent to the Senate.

The bill to authorise the Commissioners of the town of Edenton to grant to Dr. Samuel Dickenson a certain water-lot in the said town, was read the second time, passed and sent to the Senate.

Mr. Dawson moved for leave and presented a bill to prevent persons from handing about petitions for the emancipation of slaves in this State; which was read the first time, passed and sent to the Senate.

Mr. Hamilton moved for leave and presented a bill to vest in juries a dispensing power in cases of damages to assess the value of the contract; which was read the first time, passed and sent to the Senate.

Received from the Senate a bill to regulate the administration of justice; and a bill for subscribing on loan, in the loan-office of the Commissioner of the United States, such continental monies, and continental and state securities as are or may be in the hands of the Treasurer or Comptroller of this State belonging to the public, &c., endorsed "Read the first time and passed."

Received also a bill directing the time and places of holding the annual elections in the county of Hyde; and a bill to empower James Craige, guardian of the orphans of David Craige, dec., to sell and dispose of part of the real estate of the said David Craige, endorsed "Read the second time and passed."

Received likewise the memorial of Joseph Leech, and the memorial of Philip Logan, Daniel M'Allister and John Campbell, endorsed "Read and referred as by the House of Commons." Also the resignation of Joseph Rosser, endorsed "Read and accepted."

The house adjourned until to-morrow evening, 4 o'clock.

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SATURDAY, November 27, 1790.

Met according to adjournment.

Ordered, That the following message be sent to the Senate:

Mr. Speaker and Gentlemen:

We are now ready to proceed on the balloting heretofore agreed on, and have appointed Mr. Nash and Mr. Sanders to superintend and conduct the same on the part of this house.

Ordered, That the following message be sent to the Senate:

Mr. Speaker and Gentlemen:

We have appointed Mr. M'Laine to superintend the balloting on the part of this house in the room of Mr. Nash, who is excused from attending on that business at his particular request.

Received from the Senate the following message:

Mr. Speaker and Gentlemen:

We are also ready to proceed to balloting, and have appointed Mr.

Dixon and Mr. Benford to conduct the same on the part of this house.

Mr. Alexander Mebane presented the resignation of William O'Neal, as Col. of Orange county, and the resignation of William M'Cawley, as Lieutenant-Colonel of the said county; which being read, were accepted by this house and sent to the Senate.

Received from the Senate a bill to amend an act, entitled, "An act to admit to record certain deeds, grants and patents for lands heretofore obtained;" endorsed "Read the first time and passed."

Received from the Senate the petition of Edmund Blount, endorsed "Read and referred on the part of the Senate to Mr. Johnson, Mr. M'Dowall and Mr. Skinner;" which being read, was referred on the part of this house to Mr. Chambers, Mr. Person, Mr. Davis, Mr. Simpson, Mr. Grove, Mr. Mebane and Mr. Creecy, and returned.

The committee to whom was referred the petition of Helen Tyler, reported—That it is the opinion of your committee, that the loan office certificates be on the same footing of all other certificates agreeably to the scale.—Which is submitted.

ALEX. MEBANE, Ch.

The foregoing report being read, was concurred with.

Mr. Macon moved for leave and presented a bill to establish an inspection of tobacco at the ferry of Thomas Eaton on Roanoke river; which was read the first time, passed and sent to the Senate.

Mr. Person from the Board of Trustees of the University, delivered in the following addresses of that Board:

To the Honourable the General Assembly of the State of North Carolina.

Gentlemen:

The Trustees of the University of North Carolina, impressed with a high sense of that liberality and patronage towards the said institution, manifested by the General Assembly in their act, entitled, "An act for raising a fund for erecting the buildings, and for the support of the University of North Carolina," do for themselves and their successors, hereby gratefully accept the grants, and every part thereof, made by the act aforesaid; and beg leave to assure the Hon. the General Assembly they will endeavour so to apply and manage them, as effectually to answer the ends for which they were made.

ALEX. MARTIN, President.

To the Honourable the General Assembly of the State of North Carolina:

Gentlemen:

The President of the Board of Trustees of the University of North Carolina respectfully represents, that altho' the Trustees of the said Board have a proper sense of that liberality and patronage which hath been already manifested by the General Assembly towards this infant institution, yet the smallness of their funds, occasioned principally by those difficulties which have hitherto impeded their collection, reduce them to the absolute necessity of applying to the General Assembly for that aid which they despair of finding elsewhere; they therefore pray, that in order to enable them to erect a part of the buildings, and to provide for a commencement of the institution, the General Assembly will be pleased to vote them on loan, such sum as they in their liberality and wisdom may think proper, for the faithful repayment of which, within such time as may be determined on, the funds of the University shall be considered pledged. The Trustees forbear to make any observations on the happy consequences and good effects which they assure themselves will at some future day grow out of such a benefaction, well knowing, that to minds so enlightened, anything they might add would be superfluous.

ALEX. MARTIN, President.

Ordered, That the following message be sent to the Senate:

Mr. Speaker and Gentlemen:

We herewith send you the addresses of the Board of Trustees of the University, accepting the grants made to that institution, and soliciting a loan in order to enable them to erect part of the buildings, &c.

The house adjourned till Monday morning, 10 o'clock.

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MONDAY, November 29, 1790.

Met according to adjournment.

On the petition of William Sharpe and John Dickey, executors of the last will and testament of Lieut. Col. William Lee Davidson, Resolved, That the Comptroller issue a certificate unto William Sharpe and John Dickey, executors of Lieut. Col. William Lee Davidson, for the sum of seven hundred and seventy-five pounds, bearing

date on the 16th day of May, 1783, with interest thereon; which sum was adjudged to the said executors by a committee of both houses of the General Assembly, and concurred with on the aforesaid 16th day of May, 1783; which certificate shall be of equal value as other certificates issued by the Commissioners of army accounts at Halifax.

Mr. M'Laine from the joint balloting for the five Councillors, and the place at which the next General Assembly shall be held, reported—That Caleb Phifer, Esq., was elected a member of the Council of State, and that four members are yet to be elected—and that no one place in nomination for holding the next General Assembly at had a majority of votes.

Resolved, That the house do concur with this report.

Mr. Nash presented the petition of sundry of the inhabitants of the town of Hillsborough; which being read, Mr. Nash moved for leave and presented a bill to repeal the third section of an act passed in the year 1788, entitled, "An act to amend an act, entitled, An act for the regulation of the town of Hillsborough, and other purposes;" which was read the first time, passed and sent to the Senate.

Resolved, That the Hon. Judge Williams be requested to attend on the General Assembly for a few days, that his advice may be received on such matters as may be required.

Mr. Hamilton moved for leave and presented a bill to allow the inhabitants of the town of Edenton to elect a magistrate of police therein, and for other purposes; which was read the first time, passed and sent to the Senate.

Resolved, That the Sheriff of Rowan county be and he is hereby directed to stay the execution in his hands against Isaac Enochs, of the said county, for the sum of fifty pounds, on a forfeited recognizance, until after the superior court which shall be held for the district of Salisbury next after the date hereof, that the court may consider of the matter, and lessen or remit the said forfeiture, or do whatever therein as to the honourable the Judges of the said court shall seem just and right.

Mr. Grove presented the petition of Gilbert Clarke and others; which being read, was referred to the committee of propositions and grievances No. 1, and sent to the Senate.

Mr. Chambers presented the memorial of Richard Walton; which being read, was referred to the committee of propositions and grievances No. 1, and sent to the Senate.

Mr. M'Laine moved for leave and presented a bill directing the Entry-takers as to their duty in office respecting certain cases therein mentioned; which was read the first time, passed and sent to the Senate.

Mr. Philips moved for leave and presented a bill to empower the county court of Rockingham to lay a further tax to reimburse the Commissioners the money by them expended in erecting the court-house, prison and stocks in said county; which was read the first time, passed and sent to the Senate.

Mr. Chambers presented the memorial of Henry Swink; which being read, was referred to the committee of propositions and grievances No. 1, and sent to the Senate.

Mr. Bonds presented the memorial of John Wilson and Isham Finch; which being read, was referred to the committee of propositions and grievances No. 2, and sent to the Senate.

Mr. Leigh presented the petition of Stephen Brooks; which being read, was referred to the committee of propositions and grievances No. 1, and sent to the Senate.

Mr. Person presented the representation and petition of Thomas W. Pearson, executor of the last will and testament of Abner Nash, Esq., dec., which being read, was referred to the committee to correct errors in patents, &c., and sent to the Senate.

Mr. Scull presented the petition of John and William Hendry; which being read, was referred to the committee of propositions and grievances No. 2, and sent to the Senate.

The petition of John M'Dermid being read, was referred to the committee of propositions and grievances No. 1, and sent to the Senate.

Mr. Polk presented the petition of John Hamilton, Esq., attorney at law; which being read, was referred to Mr. Leigh, Mr. Polk, Mr. Porter, Mr. Person, Mr. Sawyer, Mr. Stone and Mr. Creecy, and sent to the Senate.

Received from the Senate the petition of Sarah Long, the memorial of Josiah Jackson, and the petition of James Baker, severally endorsed "Read and referred to the committee of propositions and grievances No. 1." Received also the memorial of Charles Bruce, endorsed "Read and referred to the committee of claims." These pe-

titions, &c., being severally read, were referred as by the Senate and returned.

Received from the Senate the two petitions of Richard Blackledge, endorsed "Read and referred to the committee of claims;" which being read, were referred to the committee of finance and returned.

Mr. Hay presented the petition of Thomas M'Laine; which being read, was referred to the committee of propositions and grievances No. 2, and sent to the Senate.

Received from the Senate the following bills, endorsed "Read the first time and passed;" to-wit:—A bill to confirm unto Greenbury Sutton an indefeasible title to certain lands therein mentioned, &c. A bill to establish the titles of certain lands in Simon, David, William and Jonathan Turner. A bill to erect that part of Wilkes county lying west of the Apalachian mountains, and part of Washington county, into a separate and distinct county, by the name of ————. Received also a bill to authorise William M'Clellan, of the county of Rockingham, to extend a mill dam across Mayo river, endorsed "Read the second time and passed."

Mr. M'Dowall moved for leave to withdraw for amendment the bill to repeal part of an act, entitled, "An act to alter the mode of punishing horse stealing," &c. Ordered, That he have leave.

Received from the Senate the two petitions of Richard Blackledge, endorsed "Read and referred as by the house of commons." Also the report of the committee on the petition of Helen Tyler, and the resolution of this house directing the Comptroller to issue certificates to William Sharpe and John Dickey, executors of Lieutenant-Colonel Davidson, &c., concurred with.

Received from the Senate a bill to empower the county court of Rutherford to lay a further tax, for the purpose of building a court-house in said county. A bill directing Entry-takers as to their duty in office, &c. A bill to empower the county court of Rockingham to lay a further tax, &c. And a bill to establish an inspection of tobacco at the ferry of Thomas Eaton on Roanoke river. Each endorsed, "Read the first time and passed." Received also the representation and petition of Thomas W. Pearson, executor, &c., and the petition of Gilbert Clarke and others, endorsed "Read and referred as by the House of Commons."

Received from the Senate the resolution of this house directing

the Sheriff of Rowan county to stay the execution in his hands against Isaac Enochs, concurred with.

The bill to amend and provide for the deficiencies of the revenue laws of this State, was read the second time, amended, passed and sent to the Senate.

The speaker laid before the house a letter from Abishai Thomas, Esq., Agent, &c.; which being read was referred to the committee appointed to confer with Doctor Williamson, and sent to the Senate.

Received from the Senate the following messages:

Mr. Speaker and Gentlemen:

The address by you proposed to be presented to his Excellency the Governor, we herewith return you agreed to; and have appointed Mr. Dixon and Mr. Graham to attend and present him with the same on the part of this house.

Mr. Speaker and Gentlemen:

We have fixed on Saturday next for the appointment of Justices and Field Officers, and propose that the recommendations be first introduced to the House of Commons.

Mr. Speaker and Gentlemen:

It appearing from the balloting of Saturday, that four Councillors of State, and the place for holding the next Assembly, are yet to be made choice of; we therefore propose that the two houses ballot therefor on Wednesday next, at 4 o'clock in the afternoon.

Ordered, That the following message be sent to the Senate:

Mr. Speaker and Gentlemen:

We agree that the appointment of Justices and Field Officers be made on Saturday next. We also agree to ballot on Wednesday for the place at which the next Assembly shall be held, and for the four Councillors yet to be elected, as by you proposed.

Ordered, That the bill to regulate the administration of justice be read to-morrow for the second reading.

Ordered, That Mr. Samuel Mosby have leave to absent himself from the service of this house.

The house adjourned until to-morrow morning, 10 o'clock.

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TUESDAY, November 30, 1790.

Met according to adjournment.

Mr. Person moved for leave and presented a bill for granting on

loan to the Trustees of the University of North Carolina, for the term of ——— years, and on the conditions therein mentioned, the sum of ———; which was read the first time, passed and sent to the Senate.

Mr. Person presented the representation of the Hon. the Judges of the superior courts of law and equity, setting forth the mandate of the circuit federal court of North Carolina in the southern circuit of the United States, commanding to be called before them, by the writ of certiorari, the proceedings on a suit in equity depending in the court for the district of Edenton; which being read, was referred on the part of this house to Mr. Taylor, Mr. Jones, Mr. Person, Mr. Leigh and Mr. Franklin, and sent to the Senate.

Mr. Porter who had leave to withdraw for amendment the bill to increase the benefit of the county courts of pleas and quarter sessions to the citizens of this State, delivered in the same with the amendments; which was taken up and read for the third reading in this house, and the question being put, "Shall this bill pass?" was negatived; whereupon the yeas and nays were called for by Mr. Person, and seconded by Mr. J. Hill, which are as follows: viz:

Yeas.—Mess. Wood, Dawson, Stone, B. Smith, M'Dowall, Vance, Sawyer, Dickens, Stallings, Person, Peters, M'Laine, Irwin, Polk, Butler, Ussory, Martin, Scull, Perry, Everigin, Lock, Gaither, Porter, Lovell, Houser, Nash, Guion, M'Kay, Turner, Duke, Dowd, Lord, Jones, Pickett, Witherspoon, Hamilton, Chambers.—37.

Nays.—Mess. Lanier, Stewart, Ferebee, J. Mebane, Dixon, Croom, Leigh, B. Bell, J. Hill, A. Davis, Yancey, Alston, Montgomery, Jasper, H. Bryan, Matthews, E. Bryan, Slade, Bonds, Battle, Spicer, Carrington, Taylor, A. Mebane, S. Allen, Philips, Bailey, N. Brown, Regan, Robinson, Blewit, Bostwick, Grove, Sutherland, Sanders, Lewis, Franklin, Macon, Hawkins, Pender, Fulford, Simpson, Graves, Spruill, Sutton, Creecy, Borden, J. Allen, Grandy.—49.

Received from the Senate the following memorials, petitions, &c., endorsed "Read and referred as by the House of Commons;"—The petition of Thomas M'Laine, the petition of Stephen Brooks, the memorial of Henry Swink, the petition of John and William Hendry, the memorial of John and Isham Finch, the petition of John M'Dermid, the letter from Abishai Thomas, Agent, &c. Also the petition of John Hamilton, Esq., endorsed "Read and referred to Mr. Winston, Mr. Graham and Mr. Riddick."

Received from the Senate the following bills:—A bill directing the mode of defraying the expence of the members of the General Assembly in future, endorsed "Read the first time and passed." A bill to authorise the Commissioners of the town of Edenton to grant to Dr. Samuel Dickenson a certain water-lot in the said town. A bill to cede and vest in the United States of America, the lands therein mentioned, for the purpose of building light-houses. A bill to vest a certain piece of land therein described in Sophia Neale, &c., endorsed "Read the second time and passed." A bill to repeal part of an act, entitled, "An act to regulate and ascertain the several officers fees therein mentioned," &c. A bill for vesting the property of certain negroes in the heirs of Mark Newby. Endorsed "Read the third time and passed." Also a bill to repeal an act, entitled, "An act to establish a department for adjusting and liquidating the public accounts of this State, and for appointing a Comptroller, and other purposes," endorsed "Read the first time and passed." And a bill to establish a town at the place fixed upon for the court house in the county of Surry, endorsed "Read the second time and passed."

Received from the Senate the report of the committee on the petition of Lewis Beard, and the report on the petition of John Brevard, concurred with by that house; also a resolution of that house directing the Treasurer to refund and pay to John Brevard the sum of two thousand four hundred and ten pounds specie certificates, &c. which being severally read, were concurred with and returned.

Mr. Person from the committee to whom was referred the memorial of John Rainey, delivered in a report thereon; which being read, was rejected.

Received from the Senate the memorial of William Watters, endorsed "Read and on motion ordered that the recommendation of Field Officers for the Orange regiment of militia be reconsidered by this house, and ordered to lie for further information." Ordered, That this petition lie on the table.

Received from the Senate a bill for granting on loan to the Trustees of the University of North Carolina, for the term of —— years, and on the conditions therein mentioned, the sum of ————, endorsed "Read the first time and passed." And a bill directing the manner in which the real soldier or honest claimant, among those who had military accounts settled at Warrenton, in the year 1786, shall obtain certificates, &c., endorsed "Read the second time and passed."

Received from the Senate the memorial of Daniel Glisson, endorsed "Read and referred to Mr. Kenan, Mr. Graham and Mr. Clinton on the part of the Senate;" which being read, was referred on the part of this house to Mr. Porter, Mr. Simpson, Mr. M'Laine, Mr. Dickson, Mr. Guion, and Mr. Nash, and returned.

Mr. Person moved for leave to withdraw for amendment the bill empowering the county courts of pleas and quarter-sessions to direct the Secretary of State to correct certain patents or grants therein described, &c. Ordered, That he have leave.

Mr. Leigh moved for leave to withdraw for amendment the bill directing the manner in which the real soldier or honest claimant, among those who had military accounts settled at Warrenton in the year 1786, shall obtain certificates, &c. Ordered, That he have leave.

Mr. Jones moved for leave to withdraw for amendment the bill for building a court-house in the town of Wilmington, &c. Ordered, That he have leave.

The bill to regulate and fix the prices for inspecting and coopering tobacco, was read the first time, passed and sent to the Senate.

Mr. Macon moved for leave to withdraw for amendment the bill to amend an act passed at Hillsborough, 1784, entitled, "An act for extending the navigation of Roanoke river." Ordered, That he have leave.

The bill to cede and vest in the United States of America the lands therein mentioned, for the purpose of building light-houses, was read the second time, passed and sent to the Senate.

Received from the Senate the report of the committee on the petition of Hugh Torrence, concurred with by that house; which being read, was concurred with by this house and returned.

Ordered, That the bill for subscribing on loan, in the office of the Commissioner of the United States, such continental monies and continental and state securities as are or may be in the hands of the Treasurer or Comptroller of this State belonging to the public," be read for the second reading in this house to-morrow.

The bill to repeal an act, entitled, "An act to establish a department for adjusting and liquidating the public accounts of this State, and for appointing a Comptroller and other purposes," was read the first time, passed and sent to the Senate.

Ordered, That the bill directing the mode of defraying the expence

of the members of the General Assembly in future, be laid over until the next Assembly.

The bill to amend an act, entitled, "An act to admit to record certain deeds, grants and patents for lands heretofore obtained," was read the first time, passed and sent to the Senate.

Mr. Leigh presented the memorial of Hardy Murfree; which being read, was referred on the part of this house to Mr. Jones, Mr. Polk, Mr. Leigh and Mr. Mebane, and sent to the Senate.

Mr. Smith presented the memorial of Griffith John M'Ree; which being read, was referred to the committee on the memorial of Hardy Murfree, and sent to the Senate.

Received from the Senate the petition of William Dry, endorsed "Read and referred to the committee of propositions and grievances No. 2;" which being read, was referred as by the Senate and returned.

Received from the Senate the representation of the Hon. the Judges of the Superior courts on the mandate of the circuit federal court, endorsed "Read and referred on the part of the Senate to Mr. Hargett, Mr. Graham and Mr. M'Dowall."

The house adjourned till to-morrow morning, 10 o'clock.

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WEDNESDAY, December 1, 1790.

Met according to adjournment.

Mr. A. Mebane moved for leave and presented a bill for receiving an act passed at Tarborough, in December 1787, entitled, "An act for fixing the final settlement of unliquidated claims against this State;" which was read the first time, passed and sent to the Senate.

Mr. Caldwell moved for leave and presented a bill to prevent the Trustees of the University of North Carolina from holding a seat in the General Assembly, or to be eligible thereto; which was read the first time and rejected.

Mr. Leigh who had leave to withdraw for amendment the bill directing the manner in which the real soldier or honest claimant, among those who had the military accounts settled at Warrenton in the year 1786, shall obtain certificates and making provision for such claimants whose accounts are yet unsettled, delivered in the bill at the Clerk's table; which was taken up and read for the second time, amended, passed and sent to the Senate.

Mr. Franklin who had leave to withdraw for amendment the bill

directing the mode of proceeding in scrutinized elections, delivered in the bill at the Clerk's table; which was taken up and read for the second reading, amended, passed and sent to the Senate.

Mr. Porter presented the petition of Andrew Hampton; which being read, was referred to the committee of propositions and grievances No. 1, and sent to the Senate.

Mr. Macon who had leave to withdraw for amendment the bill to amend an act passed at Hillsborough, 1784, entitled, "An act for extending the navigation of Roanoke river," delivered in the bill at the Clerk's table; which was taken up and read for the second time, amended passed and sent to the Senate.

Received from the Senate the memorial of Hardy Murfree, endorsed "Read and referred to Mr. Macon, Mr. Johnson and Mr. Graham;" also the memorial of Griffith John M'Ree, endorsed "Read and referred as by the House of Commons."

Received from the Senate the following bills, viz: A bill for reviving an act passed at Tarborough, in December, 1787, entitled, "An act for fixing the final settlement of unliquidated claims against this State," endorsed "Read the first time and passed." A bill to amend an act, entitled, "An act to admit to record certain deeds, grants and patents for lands heretofore obtained," endorsed "Read the second time and passed." A bill to cede and vest in the United States of America the lands therein mentioned, for the purpose of building light houses; and a bill directing the manner in which the real soldier or honest claimant, among those who had military accounts settled at Warrenton, in the year 1786, shall obtain certificates, &c., endorsed "Read the third time and passed."

Mr. Polk from the committee to whom was referred the petition of John Willis, Michael Holt and Thomas Tomlinson, delivered in a report thereon; which being read and amended, was agreed to as follows, to-wit:

The committee to whom the petition of John Willis, Michael Holt and Thomas Tomlinson, was referred, report—That the petitioners, John Willis, Michael Holt and Thomas Tomlinson, purchased of James Williams certain tracts of land, which he the said Williams had previously purchased of William Moore, Commissioner of confiscated sales for Hillsborough district, and agreeably to the act for the regulation of such sales had given bond and security, and executed mortgage deeds for the same—That at the last Assembly John Estis,

who was the security and jointly bound with the said Williams for the purchase money aforesaid, in order to secure himself, (Williams being then an inhabitant of Georgia) procured a resolve, generally directing the Attorney-General to foreclose, by a decree in the court of equity, the mortgages given as aforesaid on the land, and authorising him the said Estis to sell the same, as with the petitioners; as the residue purchased by the said Williams as aforesaid.—The committee therefore, from these facts, the intention of the law, and a desire of doing complete and ample justice, as well to the said Estis as the petitioners, beg leave to recommend, that a resolution be passed rescinding the resolve of the last Assembly, so far as the same affects the right or title of the said Willis, Holt and Tomlinson. All which is submitted. WILLIAM POLK, Ch.

Mr. M'Dowall who had leave to withdraw for amendment the bill to alter the mode of punishing horse-stealing, delivered the bill in at the Clerk's table; which was taken up and read the second time, amended, passed and sent to the Senate.

Received from the Senate the resolution of that house directing the Treasurer to pay Hugh Torrence sixty-five pounds fifteen shillings and nine pence, &c., which being read, was concurred with and returned.

Ordered, That the following message be sent to the Senate:

Mr. Speaker and Gentlemen:

We propose that the bill for equalizing the land tax be committed. We have on our parts appointed Mr. M'Dowall, Mr. Lock, Mr. Person, Mr. Hill, Mr. Everigin, Mr. Simpson, Mr. Smith and Mr. Grove, for this purpose.

Ordered, That the bill to prevent the obstruction of fish running up New river, in Onslow county, be laid over until the next Assembly.

Mr. Leigh moved for leave and presented a bill for dividing Dobbs county; which was read the first time, passed and sent to the Senate.

Mr. Hamilton presented the memorial of Ann Blount; which being read, was referred to the committee appointed on the memorial of Hardy Murfree, and sent to the Senate.

Ordered, That Mr. Everigin be added to this committee.

Received from the Senate the report of the committee on the

petition of Sarah Long, concurred with by that house; which being read, was concurred with by this house and returned.

The bill to amend and extend the powers given in an act, entitled, "An act to empower the administrators of Samuel Swann, of New-Hanover county, dec., to sell and dispose of part of the real estate of the said Samuel for the payment of his debts, in order to make provision for his family, and also to make conveyances for such part of the real estate as was sold by the said Samuel in his lifetime, was read the second time, passed and sent to the Senate.

The committee to whom the petition of John Taylor, of the town of Hillsborough, was referred, reported—That by a report of a committee of the last General Assembly, concurred with by both houses, it appears the administrators of Andrew Ross, dec., were empowered to sell so much of certain tracts of land, purchased of the said Andrew in his lifetime of William Moore, Commissioner, as would produce the sum of two hundred and four pounds, the balance then and yet due the State for the purchase aforesaid, which they could not effect, as the lands are mortgaged to the State.—The committee therefore recommend, that by a resolution of the General Assembly, the Attorney-General be directed to foreclose the mortgages on the whole or so much as will be sufficient of the land so purchased aforesaid, and the administrators directed to sell the same, for the purpose of discharging the balance aforesaid, and interest. Which is submitted.

WILLIAM POLK, Ch.

Resolved, That the house do concur with this report.

Received from the Senate the report of the committee on the petition of James Miller, concurred with by that house; which being read, was rejected.

Ordered, That Mr. King have leave to absent himself from the service of this house after this day, and that Mr. A. Mebane have leave to absent himself from the service of this house after Tuesday next.

Received from the Senate the petition of sundry of the inhabitants of the counties of Wake, Orange and Granville, and the petition of sundry of the inhabitants of Wake county; which being read, were referred to the committee to whom was referred the bill and petitions for the division of Caswell county, and returned.

Received from the Senate the representation of David Miller, endorsed "Read and referred to Mr. Dixon, Mr. M'Dowall and Mr.

Macon;" which being read, was referred to Mr. Simpson, Mr. Borden, Mr. Matthews and Mr. Irwin, and returned.

Received from the Senate the following messages:

Mr. Speaker and Gentlemen:

We do not concur with your proposition for committing the bill to permit George Merrick to emancipate certain slaves, have therefore sent you the bill in order that it may go on its passage.

Mr. Speaker and Gentlemen:

We have appointed on the part of this house Mr. Pugh and Mr. Winston to conduct the balloting this evening. We nominate for Councillors Mr. G. Rutherford, Mr. Ch. Galloway, Mr. Gowdy, Mr. Faulcon, Mr. W. Little, Mr. Williams of Caswell, and Mr. Thomas Eaton. We also name the towns of New Bern, Fayetteville and Hillsborough, as the places for holding the next Assembly.

Ordered, That the following message be sent to the Senate:

Mr. Speaker and Gentlemen:

We have added to your nomination for Councillors John Williams, of Chatham, Thomas Overton and William H. Harrington; and also nominate Tarborough for the place of the meeting of the next Assembly. We have appointed Mr. Scull and Mr. Sanders to superintend and conduct the balloting on the part of this house.

Received from the Senate a bill to amend an act passed at Hillsborough, in the year 1784, entitled, "An act for extending the navigation of Roanoke river," endorsed "Read the second time and passed."

Ordered, That the bill to amend an act, entitled, "An act to prevent the exportation of unmerchantable commodities," &c., and a bill to erect that part of Wilkes county lying west of the Apalachian mountains, and part of Washington county, into a separate and distinct county, &c., be read to-morrow for the second reading each.

The house adjourned till 4 o'clock, P. M.

Met according to adjournment.

The bill for vesting the property of certain lots of land, situated in the town of Tarborough, in Edmund Hall and his heirs, was read the second time, passed and sent to the Senate.

The bill to establish a town at the place fixed upon for the court house in the county of Surry, was read the second time, passed and sent to the Senate.

The bill directing the time and places of holding the annual elections in the county of Hyde, was read the third time, passed and sent to the Senate.

The bill to keep open Rockfish-creek, in Cumberland county, from its mouth to the forks thereof, was read the third time, passed and sent to the Senate.

The bill to establish a town at the place fixed upon for the court-house in the county of Stokes, was read the second time, passed and sent to the Senate.

Mr Martin presented the resignation of Murdoch Macrae; which being read, was referred to the committee appointed to correct errors in patents, &c., and sent to the Senate.

Mr. Lovell presented the resignation of William Meredith, a Justice of the Peace; which being read, was accepted and sent to the Senate.

Mr. Chambers presented the memorial of William Giles; which being read, was referred to the committee of propositions and grievances No. 1, and sent to the Senate.

Mr. Jasper presented the resignation of John Satchwell, a Justice of the Peace; which being read, was accepted and sent to the Senate.

The bill to establish public landings in the county of Carteret, was read the third time, passed and sent to the Senate.

The bill for granting to the inhabitants living between the north and south forks of the Yadkin river the privilege of holding separate general musters, was read the second time, passed and sent to the Senate.

The bill to authorize William M'Clellan, of the county of Rockingham, to extend a mill-dam across the Mayo river, was read the second time, passed and sent to the Senate.

The bill to alter the names of certain persons therein mentioned, was read the second time, passed and sent to the Senate.

The bill to empower the county court of Rutherford to lay a further tax, for the purpose of building a court house in said county, was read the first time, passed and sent to the Senate.

The bill to empower the county court of Rockingham to lay a further tax to reimburse the Commissioners the money by them expended in erecting the court house, prison and stocks in said county, was read the second time, passed and sent to the Senate.

The bill to appoint Commissioners to establish a gap or slope on

the mill dam of Samuel High, at the falls of Neuse river, in Wake county, and to repeal so much of an act passed at Tarborough, in the year 1787, as comes within the purview of this act, was read the second time, passed and sent to the Senate.

The bill to authorise the Commissioners of the town of Edenton to grant to Dr. Samuel Dickenson a certain water-lot in the said town, was read the third time, passed and sent to the Senate.

The bill for altering the time for holding the county courts of pleas and quarter sessions for the counties of Franklin and Iredell, was read the third time, passed and ordered to be engrossed.

The bill to empower James Craige, guardian of the orphans of David Craige, dec., to sell and dispose of part of the real estate of the said David Craige for the payment of a debt due by him to the public, was read the third time, passed and sent to the Senate.

The bill to establish an inspection of tobacco at the ferry of Thomas Eaton on Roanoke river, was read the second time, passed and sent to the Senate.

Ordered, That Mr. Grandy have leave to absent himself from the service of this house after to-morrow.

Ordered, That Mr. Montgomery be added to the committee of propositions and grievances No. 2.

The house adjourned till to-morrow morning, 10 o'clock.

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THURSDAY, December 2, 1790.

Met according to adjournment.

Mr. Hawkins from the committee to whom was referred the petition of William Sheppard, reported—That no proof appears to the committee that the goods mentioned in the said petition were imported into the city of Philadelphia subsequent to the laws of Congress being passed regulating the impost, nor does it appear that the duties mentioned to have been paid on the said goods, have been paid under the laws of the United States; there is therefore a probability that the duties thus paid were paid under the laws of the State of Pennsylvania, and converted to the use of that State only; for which reason the committee reject the petition. Which is submitted.

WYATT HAWKINS, Ch.

Resolved, That the house do concur with this report.

Received from the Senate the report of the committee on the petition of George Merrick, on the petition of Adam Lawrence and on the petition of Benjamin Cleveland, endorsed "Read and concurred with;" which reports being read, were concurred with by this house and returned.

The bill to vest a certain piece of land therein described in Sophia Neale, and to authorise the said Sophia Neale and John Hall to make sale and dispose of two other pieces of land in Brunswick county, of the real estate of the late Thomas Neale, Jun., dec.; was read the third time, passed and sent to the Senate.

Received from the Senate the resignation of Peter O'Neal, a Justice of the Peace; which being read, was accepted and returned.

Mr. Hawkins from the committee of propositions and grievances, delivered in the following report, viz:

The committee of propositions and grievances No. 2, to whom the petitions of Nimrod Bradley and Thomas Adcock, James Kerr, Philip Logan, Daniel M'Allister and John Campbell, John Umstead, William Owens and Joseph Arthur, were referred, report—That on reading the said petitions and memorials, together with the vouchers in support of them, it appears that they are all claims of a military nature, and do conceive them to be just, and that the legislature ought to point out some mode whereby the said claimants, and all others who have similar claims, could be redressed. Your Committee further report, that as a bill is now on its passage, making provision for the examination of the certificates issued by the Board of Commissioners of army accounts at Warrenton, in the year 1786, and for liquidating all military claims not yet adjusted, the aforesaid claims, and all others of a like nature, may be amply provided for in the said bill; which provision your committee recommend as an object worthy the attention of the legislature. All which is submitted.

WYATT HAWKINS, Ch.

The house taking this report into consideration, concurred therewith.

Mr. Lock moved for leave and presented a bill providing for the exchanging and re-issuing the paper currency of this State, and prescribing the manner in which the same shall be done; which was read the first time, passed and sent to the Senate.

Mr. Person moved for leave and presented a bill to restrain all

married persons from marrying again, until their former wives or former husbands be dead; which was read the first time, passed and sent to the Senate.

Mr. Dawson moved for leave and presented a bill to amend an act, entitled, "An act to empower the county courts of pleas and quarter sessions of the several counties in this State to order the laying out public roads, and to establish and settle ferries, and to appoint where bridges shall be built, and to clear inland rivers and creeks;" which was read the first time, passed and sent to the Senate.

Mr. Scull from the joint balloting for four Councillors, and the place at which the next General Assembly shall be held, reported—That John Faulcon and William Gowdy, Esquires, were elected Councillors—that there were yet two Councillors to be elected—and that no one place in nomination for holding the next General Assembly at had a majority of votes.

The house taking this report into consideration, concurred therewith.

Received from the Senate the following message:

Mr. Speaker and Gentlemen:

The two Councillors of State, and place at which the next Assembly shall be held, we propose shall be balloted for this evening at four o'clock.

Ordered, That the following message be sent to the Senate:

Mr. Speaker and Gentlemen:

We agree to ballot for the two Councillors yet to be elected, and the place at which the next Assembly shall be held, this evening, as by you proposed. We nominate for Councillors, William Little and Griffith Rutherford, Esquires, and for the place at which next Assembly shall be held, the towns of Edenton, Tarborough, New Bern, Wilmington and Fayetteville. Mr. Alston and Mr. Franklin will superintend and conduct the balloting on the part of this house.

Received from the Senate the following messages:

Mr. Speaker and Gentlemen:

We consent that the bill equalizing the land tax shall be referred as by you proposed, and have appointed Mr. M'Dowall, Mr. Graham, Mr. Courtney, Mr. Macon, Mr. Johnson, Mr. Armstrong, Mr. Owen and Mr. Clinton, to act with the gentlemen by you named.

Mr. Speaker and Gentlemen:

We will concur with the resolutions of your house, instructing

the Senators from this State to the Congress of the United States as therein mentioned, provided you will pass them as now amended.

Resolved, That the resolutions referred to in the above message, as amended by the Senate, be referred to the sub-committee appointed by the committee of the whole house, and that they be directed to report the whole of their proceedings on Saturday.

Received from the Senate the following bills, to-wit:—A bill to revive and continue in force an act, entitled, "An act to empower the several county courts therein mentioned to lay a tax annually, not exceeding ——— years, for the purpose of erecting or repairing the court-house," &c., endorsed "Read the first time and passed." A bill to alter the mode of punishment for horse stealing. A bill to alter the names of certain persons therein mentioned. A bill to amend and extend the powers given in an act, entitled, "An act to empower the administrators of Samuel Swann, of New Hanover county, Esq., dec., to sell and dispose of part of the real estate of the said Samuel," &c., endorsed "Read the second time and passed." A bill to establish a town at the place fixed upon for the court-house in the county of Surry, endorsed "Read the third time and passed."

Received from the Senate the petition of Ann Blount, and the petition of Murdoch Macrae, endorsed "Read and referred as by the House of Commons." Also the resignation of John Satchwell and William Meredith, two Justices of the Peace, endorsed "Read and accepted."

The bill to amend an act, entitled, "An act for establishing courts of law, and for regulating the proceedings therein," and another act, entitled, "An act for giving an equity jurisdiction to the superior courts," was read the second time, amended, passed and sent to the Senate.

Mr. B. Smith presented the resignation of Dennis Hankins, a Justice of the Peace for Brunswick county; which being read, was accepted and sent to the Senate.

Received from the Senate the following bills, endorsed "Read the second time and passed," to-wit:—A bill for vesting the property of certain lots of land situated in the town of Tarborough, in Edmund Hall and his heirs. A bill to establish an inspection of tobacco at the ferry of Thomas Eaton on Roanoke river. A bill to empower the county court of Rockingham to lay a further tax, to reimburse

the Commissioners the money by them expended in erecting the court-house, prison and stocks in said county.

Received also the petition of the inhabitants of the counties of Wake, Granville and Orange, endorsed "Read and referred as by the House of Commons."

The house adjourned till 4 o'clock, P. M.

Met according to adjournment.

Received from the Senate the following message:

Mr. Speaker and Gentlemen:

We have added to the nomination for Councillors, Mr. Thomas Eaton, Mr. John Williams, (Caswell) and Mr. Charles Galloway; and Salem to the places named for holding the next Assembly. Mr. Qualls and Mr. Graham will superintend the balloting on the part of the Senate.

The bill to revive and continue in force an act, entitled, "An act to empower the several county courts therein mentioned to lay a tax annually, not exceeding —— years, for the purpose of erecting or repairing the court house, prison and stocks in each county when necessary, and for defraying the contingent charges of the counties," passed at Fayetteville, 1786, was read the first time, passed and sent to the Senate.

Ordered, That Mr. Hill have leave to absent himself from the service of this house after Saturday next, and that Mr. Anderson also have leave to absent himself after Monday next.

The bill to amend an act, entitled, "An act to prevent the exportation of unmerchantable commodities," passed at Hillsborough, 1784, was read the second time, passed and sent to the Senate.

Received from the Senate the following message:

Mr. Speaker and Gentlemen:

We are now ready to proceed to balloting, and request the attendance of your superintendants.

The bill to establish a town at the place fixed for the court house in the county of Surry, and for adding two Commissioners to those heretofore appointed for fixing the public buildings in the said county, was read the third time, passed and ordered to be engrossed.

The bill to alter the names of certain persons therein mentioned, was read the third time, passed and sent to the Senate.

The bill to authorise Henry E. Lutterloh to raise by way of lottery, a sum sufficient to enable him to bring into this State foreigners, who are artisans in various branches of business, was read the second time, passed and sent to the Senate.

Mr. Hawkins from the committee of propositions and grievances No. 2, to whom was referred the petition of John Bonds, reported—That on evidence before the committee, it appears that the said John Bonds was indicted in the superior court of Halifax district, in two instances, for fraudulently obtaining army certificates issued by the Board of Commissioners at Warrenton.—That it also appears that Mr. Bonds was ready for and urged his trial, but for want of witnesses in behalf of the State, the court was induced to lay over the trial till April term, 1787, at which term the trial came on, and nothing criminal appearing against Mr. Bonds, the court thought proper to discharge him the said John Bonds, he paying all costs: Therefore it is the opinion of the committee that the prayer of the petition be rejected. WYATT HAWKINS, Ch.

Resolved, That the house do concur with this report; and that Mr. Mr. Bonds have leave to withdraw his vouchers.

Mr. Guion from the committee to whom was referred the memorial of Daniel Glisson, reported—That it appears to your committee that the said Daniel Glisson has a sufficient title to the lands in the said memorial set forth, by a warrantee deed from the Sheriff.—Your committee are therefore of opinion that the said memorial is not proper for the interference of the Assembly, and that it be rejected. Which is submitted. ISAAC GUION, Ch.

Resolved, That the house do concur with this report.

Received from the Senate the report of the committee on the petition of Edmund Blount, endorsed "Read, amended and concurred with as amended;" which being read, was concurred with as amended by the Senate, and returned.

Mr. Hawkins from the committee of propositions and grievances delivered in the following report:

The committee of propositions and grievances No. 2, to whom the memorial of Thomas Haslin was referred, report—That on an enquiry it appears to your committee, that the account herewith was a copy of one found fairly stated on the books of the late Thomas Haslin, deceased, against Josiah Martin, formerly a British Governor; but it does not appear by any testimony that the said account

has not been discharged by the said Josiah Martin; for which reason your committee are induced to reject the memorial.

WYATT HAWKINS, Ch.

Resolved, That the house do concur with this report.

Received from the Senate the report of the committee on the memorial of Allen Jones, endorsed "Read and concurred with;" which being read, was concurred with and returned.

The committee of propositions and grievances No. 2, to whom the petition of William Brown was referred, report—That it appears to the committee from the face of the petition, that the said William Brown did at different times draw out of the treasury of this State monies to the amount of seven thousand one hundred and twenty pounds, for the express purpose of paying bounties to the militia volunteers and drafts raised by act of the General Assembly, he the said William Brown being Colonel of the County of Beaufort; but it does not appear by any voucher or other testimony, that the monies thus drawn were applied to the purposes for which they were intended: Therefore your committee are of opinion, as the money was drawn out of the treasury in the year 1780, that the said William Brown had time to settle this account, previous to the death of Lieutenant-Colonel Henry Bonner, to whom, as he alleges in his petition, he delivered the monies; in consequence of which they reject the prayer of the petition. Which is submitted.

WYATT HAWKINS, Ch.

Resolved, That the house do concur with this report.

Received from the Senate the report of the committee on the petition of William Sheppard, endorsed "Read and concurred with."

Received from the Senate the following bills:—A bill to restrain all married persons from marrying again until their former wives or former husbands be dead; and a bill for dividing Dobbs county; endorsed "Read the first time and passed." A bill to amend an act, entitled, "An act to prevent the exportation of unmerchantable commodities," passed at Hillsborough, 1784; and a bill to appoint Commissioners to direct and establish a gap or slope on the mill-dam of Samuel High, at the falls of Neuse river, in Wake county, &c., endorsed "Read the second time and passed." A bill for granting to the inhabitants living between the north and south forks of the Yadkin river, the privilege of holding separate general musters; and a

bill to establish a town at the place fixed upon for the court house in the county of Stokes; endorsed "Read the third time and passed."

The house adjourned till to-morrow morning, 10 o'clock.

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FRIDAY, December 3, 1790.

Met according to adjournment.

Mr. Hay moved for leave and presented a bill for the more early recovery of rents; which was read the first time, passed and sent to the Senate.

Mr. Mebane moved for leave and presented a bill to amend an act, entitled, "An act for regulating ordinaries and houses of entertainment and ferries, and other purposes;" which was read the first time, passed and sent to the Senate.

Mr. Franklin from the joint balloting for two Councillors and the place at which the next General Assembly shall be held, reported—That William Little and Griffith Rutherford, Esquires, were elected Councillors—and that no place in nomination for the meeting of the next General Assembly had a majority of votes, and that that place was yet to be ballotted for.

Resolved, That the house do concur with this report.

Mr. Robeson presented the petition of John Ray; which being read, was referred to the committee of claims and sent to the Senate.

Mr. Hay moved for leave and presented a bill to amend the law relative to attachments; which was read the first time, passed and sent to the Senate.

Mr. Chambers presented the petition of Benjamin Boyd; which being read, was referred to the committee of propositions and grievances No. 2, and sent to the Senate.

The resignations of Thomas Durham and Jacob Alford, two Justices of the Peace, were read, accepted by this house and sent to the Senate.

Mr. Everigin, who had leave to withdraw for amendment the bill to enable the Wardens of the poor in the counties of Pasquotank and Carteret to build houses for the reception of the poor of the said counties, and for levying a tax to defray the expence thereof, delivered in the bill at the Clerk's table; which was taken up and read for the second time, passed and sent to the Senate.

Resolved, That no private bill shall be received in either house of the General Assembly after to-morrow.

Mr. Graves moved for leave and presented a bill to establish two places in the county of Caswell for the purpose of holding two general musters therein; which was read the first time, passed and sent to the Senate.

The bill to restrain all married persons from marrying again until their former wives or former husbands be dead, was read the second time, passed and sent to the Senate.

Ordered, That the following message be sent to the Senate:

Mr. Speaker and Gentlemen:

We propose that the committee to whom is committed the bill for equalizing the land tax, be directed to report thereon on Monday.

Ordered, That the bill directing the manner in which the real soldier or honest claimant, among those who had military accounts settled at Warrenton in the year 1786, shall obtain certificates, &c., be read for the third time on Monday next.

Received from the Senate the following message:

Mr. Speaker and Gentlemen:

We propose that the two houses ballot at four o'clock this evening, for the place of holding the next Assembly, and nominate the towns of Fayetteville, New Bern, Tarborough and Edenton.

Ordered, That the following message be sent to the Senate:

Mr. Speaker and Gentlemen:

We agree to ballot this evening for the place at which the next Assembly shall be held, as by you proposed.

The bill to confirm unto Greenbury Sutton an indefeasible title to certain lands therein mentioned in Perquimans county, was read the second time, passed and sent to the Senate.

The bill to alter the mode of punishment for horse-stealing, was read the third time, amended, passed and sent to the Senate.

Received from the Senate a bill to authorise Henry E. Lutterloh to raise by way of lottery a sum sufficient to enable him to bring into this State foreigners, &c., and a bill to revive and continue in force an act, entitled, "An act to empower the several county courts therein mentioned, to lay a tax annually not exceeding —— years, for the purpose of erecting or repairing the court house, prison and stocks in each county, &c., endorsed "Read the second time and passed."

Also the resignations of Dennis Hankins, Thomas Dorham and Jacob Alford, Justices, endorsed "Read and accepted."

Mr. Jones presented the petition of Thomas Wright; which being read, was referred to the committee of propositions and grievances No. 2, and sent to the Senate.

Mr. Person presented the petition of Thomas Turner, executor of the last will and testament of John Wright Stanly; which being read, was referred to the committee of propositions and grievances No. 1, and sent to the Senate.

Received from the Senate the following reports, concurred with by that house, viz: On the petition of John Willis, Michael Holt and Thomas Tomlinson, on the memorial of Daniel Glisson, on the petition of William Brown, on the petition of Thomas Haslin, on the petition of John Bonds. Received also the petition of Benjamin Boyd, endorsed "Read and referred as by the House of Commons."

The bill for building a court house in the town of Wilmington for the district of Wilmington, was read the second time, amended, passed and sent to the Senate.

Received from the Senate the following message:

Mr. Speaker and Gentlemen:

We agree that the committee appointed to equalize the land tax shall be required to report on Monday next. Mr. Qualls and Mr. Dixon will attend the balloting this evening on the part of the Senate.

Ordered, That the following message be sent to the Senate:

Mr. Speaker and Gentlemen:

Mr. Sanders and Mr. Franklin will superintend and conduct the balloting heretofore agreed upon, on the part of this house.

The bill to repeal part of an act, entitled, "An act to regulate and ascertain the several officers fees therein mentioned, and for altering the times for holding the courts of law and equity for the districts of Halifax, Edenton, New Bern and Wilmington," passed at New bern, 1784, was read the third time and rejected.

Received from the Senate the resolution of this house for admitting no private bill after to-morrow concurred with. Also a resolution of the Senate directing the Treasurer to pay Allen Jones, Esq., one hundred and forty pounds; which being read, was concurred with and returned.

The bill to cede and vest in the United States of America the lands

therein mentioned, for the purpose of building light houses, was read the third time, passed and ordered to be engrossed.

The bill for granting on loan to the Trustees of the University of North Carolina for the term of —— years, and on the conditions therein mentioned, the sum of ——, was read the second time; whereupon, a motion was made by Mr. Porter, that this bill lie over until the next Assembly. This being objected to, the question was put, "Shall this bill lie over until the next Assembly?" and being carried in the affirmative the yeas and nays were thereupon required by Mr. Person; which are as follows, viz.:

Yeas.—Mess. Wood, Dawson, Gautier, Dickens, Ferebee, Anderson, I. Mebane, Stallings, W. Williams, Croom, Leigh, Bell, I. Hill, Yancey, Hannah, Sumner, Alston, Montgomery, Jasper, Peters, H. Bryan, Caldwell, Matthews, E. Bryan, Moore, Cherry, Slade, Butler, Ussory, Martin, Bonds, Scull, Spicer, Carrington, Witherspoon, Perry, Everigin, Lock, Gaither, Porter, Taylor, Philips, Bailey, Brown, Regan, Blewit, Lovell, Thomson, King, Houser, Bostwick, Sutherland, Sanders, Lewis, Franklin, Macon, Hawkins, Fulford, Graves, Borden, I. Allen, Duke, Dowd, Pickett, W. Hill, Chambers.—66.

Nays.—Mess. Stone, Smith, M'Dowall, Vance, Sawyer, Dixon, Person, M'Laine, Irwin, A. Mebane, Guion, Hay, Turner, Jones, Grandy, Hamilton.—16.

On a motion made by Mr. Person, seconded by Mr. Porter, Resolved, That the bill for granting on loan to the Trustees of the University of North Carolina, for the term of ——— years, and on the conditions therein mentioned, the sum of ———, be printed for information, and annexed to the laws which may be enacted this session, with the yeas and nays taken on the question for laying over the bill until the next session of Assembly, and that it also be published in the gazette.

Received from the Senate the following bills:—A bill to amend the law relative to attachments. A bill to establish two places in the county of Caswell for the purpose of holding two general musters therein. A bill to amend an act, entitled, "An act for regulating ordinaries," &c. A bill for the more easy recovery of rents. And a bill to amend an act, entitled, "An act to empower the county courts of pleas and quarter sessions of the several counties in this State to order the laying out public roads," &c. Endorsed "Read the first time and passed." A bill to confirm unto Greenbury Sutton an indefeasible title to certain lands therein mentioned, in Perquimans

county. A bill to restrain all married persons from marrying again whilst their former wives or former husbands are living. And a bill to enable the wardens of the poor for the counties of Pasquotank and Carteret to build houses for the reception of the poor, &c. Endorsed "Read the second time and passed."

The bill to authorise Henry Emanuel Lutterloh to raise by way of lottery, a sum sufficient to enable him to bring into this State foreigners, who are artisans in various branches of business, was read the third time, passed and sent to the Senate.

Received from the Senate the petition of John Ray, endorsed "Read and referred to the committee of propositions and grievances No. 1;" which being read, was referred as by the Senate and returned.

Received also the resignation of John Blount, Justice of the Peace. Endorsed "Read and accepted;" which being read, was accepted by this house and returned.

The house adjourned till 4 o'clock, P. M.

Met according to adjournment.

The bill for vesting the property of certain lots of land situated in the town of Tarborough, in Edmund Hall and his heirs, was read the third time, passed and sent to the Senate.

Mr. Taylor presented the memorial of Jane Pindexter, executrix, and Joseph Williams, executor of the last will and testament of Robert Lanier, Esq., late Treasurer of the district of Salisbury; which being read, was referred on the part of this house to Mr. Taylor, Mr. Gautier, Mr. Caldwell and Mr. Leigh, and sent to the Senate.

The bill to empower the county court of Rockingham to lay a further tax, to reimburse the Commissioners the money by them expended in erecting the court house, prison and stocks in said county, was read the third time, passed and sent to the Senate.

The bill to establish an inspection of tobacco at the ferry of Thomas Eaton, on Roanoke river, was read the third time, passed and sent to the Senate.

Mr. E. Jones moved for leave and presented a bill further to carry into effect the ninth article of the amendments to the constitution of the United States; which was read the first time and rejected.

The bill to amend an act passed at Hillsborough, in the year 1784, entitled, "An act for extending the navigation of Roanoke river," was read the third time, passed and sent to the Senate.

Mr. Polk presented the memorial of John Armstrong and William Pindexter, executors, &c., which being read, was referred to the committee appointed on the memorial of the executors of the last will and testament of Robert Lanier, deceased, and sent to the Senate.

The bill to establish the titles of certain lands in Simon, David, William and Jonathan Turner, was read the second time, passed and sent to the Senate.

Mr. Franklin from the joint balloting for the place at which the next General Assembly shall be held, reported—That the next General Assembly was to be held at New Bern, as appeared by a majority of the votes of both houses of the General Assembly.

The house taking this report into consideration, concurred therewith.

The bill to revive and continue in force an act, entitled "An act to empower the several county courts therein mentioned to lay a tax annually, not exceeding ——— years, for the purpose of erecting or repairing the court-house, prison and stocks in each county when necessary, and for defraying the contingent charges of the county," passed at Fayetteville, 1786, was read the second time, passed and sent to the Senate.

The bill to amend and extend the powers given in an act, entitled, "An act to empower the administrators of Samuel Swann, of New Hanover, Esq., dec., to sell and dispose of part of the real estate of the said Samuel for the payment of his debts, in order to make provision for his family; and also to make conveyances for such part of the real estate as was sold by the said Samuel in his lifetime," was read the third time, passed and sent to the Senate.

The bill for granting to the inhabitants living between the north and south forks of the Yadkin river the privilege of holding separate general musters, was read the third time, passed and ordered to be engrossed.

The bill to appoint Commissioners to direct and establish a gap or slope on the mill dam of Samuel High, at the falls of Neuse river in Wake county, and to repeal so much of an act, passed at Tarborough in the year 1787, as comes within the purview of this act, was read the third time, passed and sent to the Senate.

The bill to enable the Wardens of the poor for the counties of Pasquotank and Carteret to build houses for the reception of the poor of the said counties, and for levying a tax to defray the expence thereof, was read the third time, passed and sent to the Senate.

The bill to establish a town at the place fixed upon for the court-house in the county of Stokes, was read the third time, passed and ordered to be engrossed.

Received from the Senate a bill to impose a certain fine on any person or persons taking a seat in the General Assembly, who are disqualified by the constitution of this State to be a member thereof, endorsed "Read the first time and passed." This bill was taken up and read for the first reading in this house, passed and returned to the Senate.

The bill to empower Prudence Durphie, administratrix, and John Winn and Hugh Carson, administrators of William Durphie, deceased, to sell a tract of land in the county of Iredell, for the payment of his debts, and to convey the same to the purchaser, was read the second time, passed and sent to the Senate.

The house adjourned until to-morrow morning, 10 o'clock.

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SATURDAY, December 4, 1790.

Met according to adjournment.

Mr. Richard M'Kinnie, one of the members for Wayne county, appeared, was qualified and took his seat.

Mr. Bonds presented the memorial of William Cook and Jonathan Hains; which being read, was referred to the committee of propositions and grievances No. 2, and sent to the Senate.

Mr. Dixon presented the resignation of John Lanier, a Justice of the Peace for Duplin county; which being read, was accepted by this house and sent to the Senate.

The bill to amend an act, entitled, "An act to empower the county courts of pleas and quarter-sessions of the several counties in this State to order the laying out public roads, and to establish and settle ferries, and to appoint where bridges shall be built, and to clear inland rivers and creeks, was read the second time, passed and sent to the Senate.

Mr. Franklin moved for leave to withdraw for amendment the bill to erect that part of Wilkes county lying west of the Apalachian mountains, and part of Washington county, into a separate and distinct county by the name ————. Ordered, That he have leave.

The bill to confirm unto Greenbury Sutton an indefeasible title

to certain lands therein mentioned, in Perquimans county, was read the third time, passed and sent to the Senate.

The bill to amend an act, entitled, "An act for regulating ordinaries and houses of entertainment and ferries, and other purposes," was read the second time, passed and sent to the Senate.

The bill to amend the law relative to attachments, was read the second time, passed and sent to the Senate.

The bill to amend the law relative to attachments, was read the second time, passed and sent to the Senate.

The bill to restrain all married persons from marrying again whilst their former wives or former husbands are living, was read the third time, passed and sent to the Senate.

Received from the Senate the memorial of Jane Pindexter, executrix, and Joseph Williams, executor of the last will and testament of Robert Lanier, dec., endorsed "Read and referred to Mr. Clinton, Mr. Philips, Mr. Macon and Mr. Edwards." Also the petition of Thomas Wright, and the petition of Thomas Turner, executor of John Wright Stanley; endorsed "Read and referred as by the House of Commons."

Received from the Senate the following bills:—A bill to establish the titles of certain lands in Simon, David, William and Jonathan Turner. A bill to empower the county court of Rutherford to lay a further tax, for the purpose of building a court house in said county. A bill for building a court house in the town of Wilmington for the district of Wilmington. Endorsed "Read the second time and passed."

The bill for dividing Dobbs county, was read the second time, and the question being put, "Shall this bill pass?" was negatived: whereupon, the yeas and nays were called for by Mr. Person, and seconded by Mr. Macon; which are as follows, viz:

Yeas.—Mess. Lanier, Dawson, Dickens, W. Williams, Croom, Leigh, Person, Yancey, H. Bryan, E. Bryan, Slade, S. Allen, Perry, Reading, Lewis, Pender, Guion, Fulford, Simpson, Graves, Spruill, Borden, J. Allen, Duke, Witherspoon, M'Kinne.—26.

Nays.—Mess. Wood, Stone, Gautier, M'Dowall, Anderson, J. Mebane, Dixon, Stallings, Sumner, Moore, M'Laine, Irwin, Butler, Ussory, Scull, Carrington, A. Mebane, Everigin, Lock, Gaither, Porter, Taylor, Philips, Bailey, Brown, Robinson, Blewit, Lowell, Thomson, Houser, Bostwick, Grove, Franklin, Macon, Nash, Sutton, Dowd, Lord, Jones, Bride, Pickett, Chambers.—42.

The bill to empower the county court of Rutherford to lay a further tax for the purpose of building a court house in said county, and to empower the Sheriff of said county, to collect the sinking fund tax for the year 1786, was read the second time, passed and sent to the Senate.

The bill for the more easy recovery of rents, was read the second time, passed and sent to the Senate.

The bill for reviving an act passed at Tarborough in December, 1787, entitled, "An act for fixing the final settlement of unliquidated claims against this State," was read the second time, and the question being put, "Shall this bill pass?" was negatived; whereupon the yeas and nays were called for by Mr. Caldwell, and seconded by Mr. Matthews; which are as follows, viz.:

Yeas.—Mess. Wood, Lanier, Gautier, Stewart, Bell, Yancey, Hannah, H. Bryan, Caldwell, Matthews, Moore, M'Laine, Cherry, Butler, Carrington, A Mebane, Reading, Gaither, Bailey, Brown, Robinson, Houser, Sanders, Nash, M'Kay, Groves, Spruill, Dowd, Hawkins.—29.

Nays.—Mess. I. Hill, Person, Alston, Montgomery, Jasper, Irwin, Slade, Ussory, Spicer, Perry, Everigin, Lock, Blewit, Bostwick, Franklin, Macon, Pender, Guion, Fulford, Simpson, Turner, Sutton, Creecy, Borden, Jones, Chambers, M'Kinne, Dawson, Stone, M'Dowall, Vance, Sawyer, Dickens, Leigh.—34.

Mr. Jones, on behalf of himself and others who voted against the passage of this bill, moved for leave to state their reasons on the journal for such their voting. Ordered, That he have leave.

Ordered, That Peter Gooding, one of the door keepers of this house, have leave to absent himself from the service thereof, and that ——— Kilby be appointed to attend the latter part of the session in his stead.

The bill for vesting the property of certain negroes in the heirs of Mark Newby, was read the third time, passed and ordered to be engrossed.

Mr. Taylor moved for leave to enter a protest against the passage of this bill. Ordered, That he have leave.

Mr. Guion moved for leave and presented a bill laying a further tax in the district of New Bern, for repairing the gaol of the said district.

Mr. Person presented the memorial of Farquer Campbell; which being read, was referred to the committee appointed to correct errors in patents, &c., and sent to the Senate.

Mr. Witherspoon presented the petition of C. Nixon, S. Smith, C. Campbell, M. Lavender and C. Chine; which being read, Mr. Witherspoon moved for leave and presented a bill to carry into effect the nuncupative will of James Williams so far as relates to his real estate. Ordered, That the petition and bill be referred to the committee appointed to correct errors in patents, &c., and sent to the Senate.

Received from the Senate a resolution of that house directing his Excellency the Governor to transmit the acts of Congress to the public printer for publication, &c.; which being read, was concurred with and returned.

Received from the Senate the petition of William Cook and Jonathan Hains, endorsed "Read and referred as by the House of commons." And the resignation of John Lanier, a Justice of the Peace, endorsed "Read and accepted." Also, the report of the committee on the memorial of Ann Blount, concurred with by that house; which being read, was concurred with by this house and returned.

The committee of propositions and grievances No. 2, to whom was referred the memorial of Hance Bond, Entry taker of the county of Halifax, report—That it appears to your committee that the said Hance Bond did in virtue of his said office receive between the months of February and November, 1786, from different persons for entries of land made in his said office certificates to the amount of four hundred pounds; which certificates were issued by the Board of Commissioners of army accounts, at Warrenton, in the year 1786: That by an act of the General Assembly certificates of this description are not negotiable, in consequence of which the Treasurer hath actually refused to receive the said certificates of Mr. Bond in payment of his public accounts as Entry-taker aforesaid. Your committee further report, that as the said Mr. Bond was an officer of the State, and was bound to be governed by the laws thereof, he could in no wise refuse certificates issued under the authority of the State, more especially as Mr. Bond had not seen the act of Assembly declaring all certificates issued at Warrenton not negotiable: They are therefore of opinion, that the Treasurer be directed to receive the said certificates, and place them to the credit of the said Hance Bond in his account as Entry-taker aforesaid: The better to effect which purpose your committee recommend the following resolution, viz.:

Resolved, That the public Treasurer do receive of Hance Bond, Entry-taker of Halifax county, four hundred pounds in specie cer-

tificates, issued by the Board of Commissioners of army accounts, at Warrenton, in the year 1786, upon the said Hance Bond making oath before some Justice of the Peace, in presence of the Treasurer, that the certificates to amount of four hundred pounds, so by him presented to be paid into the treasury, were the identical certificates by him received in virtue of his office as Entry-taker for the county of Halifax, for entries of lands made in his said office between the month of February and the month of November, 1786. Which is submitted.

WYATT HAWKINS, Ch.

The question being put, "Will the house concur with this report?" was carried in the affirmative: Whereupon the yeas and nays were required by Mr. M'Dowall, seconded by Mr. Sutherland; which are as follows, viz:

Yeas.—Mess. Dawson, Leigh, Stone, Gautier, Sawyer, Stewart, Ferebee, Anderson, A. Mebane, W. Williams, I. Hill, A. Davis, Alston, H. Bryan, Caldwell, Moore, M'Laine, Cherry, Slade, Butler, Ussory, Bonds, Scull, Perry, Everigin, Gaither, Porter, Philips, Bailey, Blewit, Lovell, Houser, Grove, Hawkins, M'Kay, Fulford, Spruill, Sutton, Creecy, Dowd, Jones, Chambers, M'Kinne.—43.

Nays.—Mess. Wood, M'Dowall, Vance, Person, Yancey, Matthews, Irwin, Martin, Carrington, Taylor, Sutherland, Sanders, Lewis, Franklin, Macon, Turner, I. Allen, Lord, Pender.—19.

The house adjourned till 4 o'clock, P. M.

Met according to adjournment.

The Sheriff of Hertford county certified that Henry Hill was duly elected to represent that county in this house; whereupon the said Mr. Hill appeared, was qualified and took his seat.

Mr. Grove moved for leave to bring in a bill for adding part of Robeson county to Cumberland county. Ordered, That he have leave.

Received from the Senate the petition of Jeptha Terrel, endorsed "Read and referred to the committee to correct errors in patents;" which being read was referred as by the Senate and returned.

Received from the Senate the petition of sundry of the inhabitants of Dobbs county, endorsed "Read and referred to the committee for dividing the county of Caswell." And the memorial of John Eaton, endorsed "Read and referred to the committee of propositions and grievances No. 1;" which being read, were referred as by the Senate and returned.

The bill for building a court house in the town of Wilmington for the district of Wilmington, and to empower the Justices of New Hanover county to increase the county tax, was read the third time, amended, passed and sent to the Senate.

Ordered, That Mr. Franklin be added to the committee of propositions and grievances No. 2.

Mr. Handy presented the resignation of Arthur Bryan, as Colonel of the Johnston regiment of militia; which being read, was accepted and sent to the Senate.

Mr. M'Dowall presented the resignations of William Morrison and James Brittain, two Justices of the Peace for Burke county; which being read, were accepted and sent to the Senate.

The Speaker laid before the house a letter from the Secretary of the late Convention, enclosing a demand made on him as Secretary, by William Blount, Esq., for an allowance for his attendance as a member of Convention for the county of Tennessee, with a statement of his reasons for refusing Mr. Blount a certificate; which being read, on a motion made by Mr. M'Dowall, and seconded by Mr. Taylor,

Resolved, That it is the opinion of this house, that John Hunt, Esq., acquitted himself with great propriety, when as Secretary to the Convention he refused to grant to William Blount, Esq., a certificate allowing him the travelling charges from Tennessee, as a member of the Convention, when he only travelled from Pitt; and that no further sum be allowed the said William Blount, for his services as a member of the Convention.

Received from the Senate the following reports, concurred with by that house, viz: On the memorial of Robert Martin, on the petition of James Tindal, on the memorial of John Walker, on the petition of John Hopkins, on the memorial of Robert Burton, on the petition of Alderson Ellison, on the memorial of Winston Caswell, on the petition of Josiah Jackson, on the memorial of John M'Kenzie, on the petition of William Morgan, on the petition of John Simmons, on the memorial of David Dixon. Which reports being read, were severally concurred with and returned.

Received from the Senate the memorial of Farquer Campbell, and the petition of C. Nixon, S. Smith, &c., endorsed "Read and referred as by the House of Commons." Also the report of the committee on the memorial of Hance Bond, endorsed "Read and concurred with."

Received from the Senate a bill to amend an act, entitled, "An act for establishing courts of law, and for regulating the proceedings

therein;" and another act, entitled, "An act for giving an equity jurisdiction to the superior courts;" and a bill to amend an act, entitled, "An act to empower the county courts of pleas and quarter sessions of the several counties in this State to order the laying out public roads," &c., endorsed "Read the second time and passed."

Ordered, That Mr. Hay have leave to absent himself from the service of this house after Monday next.

The house adjourned until Monday morning, 10 o'clock.

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MONDAY, December 6, 1790.

Met according to adjournment.

Ordered, That Mr. Battle and Mr. Jones have leave to absent themselves from the service of this house.

The bill to amend an act, entitled, "An act to empower the county courts of pleas and quarter sessions of the several counties in this State to order the laying out public roads, and to establish and settle ferries and to appoint where bridges shall be built; and to clear inland rivers and creeks," was read the third time, passed and sent to the Senate.

The committee to whom was referred the bill to amend an act directing the manner of electing Representatives to represent this State in Congress, delivered in a report thereon; which being read, was ordered to be sent to the Senate with the bill.

The bill for equalizing the land tax, was read the second time, amended, passed and sent to the Senate.

Received from the Senate the report of the committee on the memorial of Griffith John M'Ree, and the report on the memorial of Hardy Murfree, concurred with by that house; which being read, were concurred with by this house and returned.

Mr. M'Dowall moved for leave to withdraw for amendment the bill directing the manner in which the real soldier or honest claimant, among those who had military accounts settled at Warrenton in the year 1786, shall obtain certificates, &c. Ordered, That he have leave.

Received from the Senate the following message:

Mr. Speaker and Gentlemen:

We herewith send you the report of the Comptroller on the accounts of James Blount, which we propose shall be referred to the commit-

tee appointed on the petition of Hardy Murfree, Esq., together with the vouchers accompanying it.

Ordered, That the following message be sent to the Senate:

Mr. Speaker and Gentlemen:

We agree that the report of the Comptroller on the accounts of James Blount, &c., be referred to the committee on the memorial of Hardy Murfree, as by you proposed.

The bill for subscribing on loan in the office of the Commissioner of the United States, such continental monies, and continental and state securities, as are or may be in the hands of the Treasurer or Comptroller of this State belonging to the public, or which shall be in the hands of either of them on the last day of September next, and for appropriating certain monies as therein mentioned, was read the second time, passed and sent to the Senate.

The bill to establish two places in the county of Caswell for the purpose of holding two general musters therein, was read the second time, amended, passed and sent to the Senate.

Received from the Senate the resignations of William Morrison, James Brittain and Arthur Bryan, endorsed "Read and accepted."

Received from the Senate the following bills:—A bill to amend an act, entitled, "An act directing the manner of electing Representatives to represent this State in Congress." A bill to amend an act, entitled, "An act for establishing a militia in this State." And a bill to revive an act passed in the year of our Lord 1715, entitled, "An act for preventing disputes concerning lands already surveyed," and to repeal the fifth section of said act. Endorsed "Read the first time and passed." A bill to authorise William M'Clellan, of the county of Rockingham, to extend a mill-dam across the Mayo river, endorsed "Read the third time and passed." A bill to impose a certain fine on any person or persons taking a seat in the General Assembly, who are disqualified by the constitution, &c. A bill to amend an act, entitled, "An act for regulating ordinaries, houses of entertainment and ferries, and other purposes. Endorsed "Read the second time and passed."

The bill to amend an act, entitled, "An act to prevent the exportation of unmerchantable commodities," passed at Hillsborough, 1784, was read the third time, amended, passed and sent to the Senate.

The bill to amend an act, entitled, "An act to admit to record certain deeds, grants and patents for lands heretofore obtained," was read the second time and rejected.

The bill to repeal an act, entitled, "An act to establish a department for adjusting and liquidating the public accounts of this State, and for appointing a Comptroller, and other purposes," was read the second time and rejected.

Received from the Senate a bill to establish two places in the county of Caswell for the purpose of holding two general musters therein, endorsed "Read the second time and passed." Also a bill to revive and continue in force an act, entitled "An act to empower the several county courts therein mentioned to lay a tax annually, not exceeding three years, for the purpose of erecting or repairing the court-house, prison and stocks in each county," &c., endorsed "Read the third time and passed."

The bill for incorporating the physicians and surgeons of this State, by the name of the North Carolina Medical Society, was read the third time, when a motion was made by Mr. Leigh that this bill be laid over until the next Assembly. The question being put, "Shall this bill lie over until the next Assembly?" it was carried in the affirmative.

The bill to revive and continue in force an act, entitled, "An act to empower the several county courts therein mentioned to lay a tax annually, not exceeding three years, for the purpose of erecting or repairing the court-house, prison and stocks in each county when necessary, and for defraying the contingent charges of the counties," passed at Fayetteville, 1786, was read the third time, passed and ordered to be engrossed.

The bill to authorise William M'Clellan, of the county of Rockingham, to extend a mill-dam across the Mayo river, was read the third time, passed and ordered to be engrossed.

The bill to amend an act, entitled, "An act to establish a militia in this State," passed at Fayetteville, 1786, was read the first time, passed and sent to the Senate.

Resolved, That every committee to whom any bill is committed, is directed to return the same to the house on Wednesday next; and that every member of the Assembly, who has withdrawn for amendment any bill, be also directed to return the same to this house tomorrow morning.

The bill to revive an act passed in the year of our Lord 1715, enti-

tled, "An act for preventing disputes concerning lands already surveyed, and to repeal the fifth section of the said act," was read the first time, passed and sent to the Senate.

The bill to amend an act, entitled, "An act for regulating ordinaries and houses of entertainment and ferries, and other purposes," was read the third time and rejected.

The bill directing the Entry takers as to their duty in office respecting certain cases therein mentioned, was read the second time, passed and sent to the Senate.

Mr. Leigh moved for leave to withdraw for amendment the bill to impose a certain fine on any person or persons taking a seat in the General Assembly, who are disqualified by the constitution of this State to be a member thereof. Ordered, That he have leave.

The bill to establish the titles of certain lands in Simon, David, William, Jonathan and Polly Turner, was read the third time, passed and sent to the Senate.

The house adjourned until to-morrow morning, 9 o'clock.

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TUESDAY, December, 7, 1790.

Met according to adjournment.

Mr. Dickens presented the petition of sundry of the inhabitants of Caswell county, praying a law to be passed for establishing a town and tobacco inspection on the lands of Thomas Harrison; which being read, Mr. Dickens moved for leave to bring in a bill to answer the prayer of the petition.

Received from the Senate a bill directing in what manner the acts of the General Assembly of this State shall be printed in future, endorsed "Read the first time and passed." And a bill to amend an act, entitled, "An act to establish a militia in this State," passed at Fayetteville, 1786, endorsed "Read the second time and passed."

Mr. Franklin, who had leave to withdraw for amendment the bill to erect that part of Wilkes county lying west of the Apalachian mountains, and part of Washington county, into a separate and distinct county by the name of ———, delivered in the bill at the Clerk's table, when it was taken up and read for the second reading in this house, and the question being put, "Shall this bill pass?" was negatived; whereupon the yeas and nays were required by Mr. Jones, and seconded by Mr. Person, which are as follows, viz:

Yeas.—Mess. Wood, Smith, Gautier, Stewart, M'Dowall, Dickens, J. Mebane, Dixon, Stallings, Vance, Hannah, Caldwell, Matthews, Moore, M'Laine, Irwin, Polk, Grove, Taylor, Butler, Ussory, Martin, Scull, A. Mebane, Lock, Gaither, Porter, Philips, Bailey, Brown, Regan, Robinson, Blewit, Lovell, Thomson, Houser, Bostwick, Lewis, Franklin, Hay, Nash, Graves, Dowd, Lord, Jones, Pickett, W. Hill, Chambers.—48.

Nays.—Mess. Lanier, Dawson, Stone, Sawyer, Ferebee, W. Williams, Croom, Leigh, Bell, J. Hill, A. Davis, Person, Yancey, Sumner, Alston, Montgomery, Jasper, Peters, Handy, H. Bryan, Cherry, Slade, Tarver, Bonds, Spicer, Carrington, S. Allen, Perry, Everigin, Reading, Sutherland, Sanders, Macon, Hawkins, Pender, Guion, Fulford, Simpson, Turner, Spruill, Sutton, Creecy, Borden, J. Allen, Duke, Pride, Witherspoon, Hamilton, M'Kinne, H. Hill.—50.

Mr. Dickens moved for leave to withdraw for amendment the bill to establish two places in the county of Caswell for the purpose of holding two general musters therein. Ordered, That he have leave.

Mr. Gautier moved for leave and presented a bill to emancipate the persons therein named; which was read the first time, passed and sent to the Senate.

Mr. Carrington moved for leave and presented a bill to regulate the practice of physic; which was read the first time, passed and sent to the Senate.

The committee to correct errors in patents, to whom was referred the petition of John Duberlee, reported—That on strict enquiry it appears, that the Surveyor in making out the plat of the land mentioned in the said petition, made a mistake in the second line of said land, which calls for south 20 east 160 poles, when in fact it ought to run north 20 east 160 poles; by which mistake the claimant cannot hold any part of the land intended to be conveyed, unless the said mistake is rectified; wherefore your committee recommend a bill to be brought in for that purpose. All which is submitted.

THOMAS PERSON, Ch.

Resolved, That the house do concur with this report.

The committee of propositions and grievances No. 2, to whom was referred the petition of John Hendry and William Hendry, report—That on considering the nature of the petitioners claim, and examining the vouchers in support of the same, the committee are of opinion, that the said claim ought to have been laid before the district

Auditors; but as a bill is on its passage, pointing out means whereby unliquidated claims are to be adjusted, your committee do conceive, that the claims of the said John Hendry and William Hendry will be comprehended in said bill should it pass, and can grant no other relief than is provided for by the said bill. Which is submitted.

WYATT HAWKINS, Ch.

Resolved, That the house do concur with this report.

Received from the Senate the resolution of this house directing the committees to whom bills have been committed, and every person who has withdrawn for amendment any bill, to deliver the same as therein directed, concurred with by that house.

Received from the Senate the report of the committee on the petition of William Hendry, and the report of the committee on the petition of John Duberlee, concurred with.

The bill to amend an act, entitled, "An act for establishing courts of law, and for regulating the proceedings therein," and another act, entitled, "An act for giving an equity jurisdiction to the superior courts," was read the third time and amended, and the question being put, "Shall this bill pass?" was carried in the affirmative; whereupon, the yeas and nays were called for by Mr. Person, which are as follows, viz:

Yeas.—Mess. Grove, Wood, Dawson, Stone, Gautier, Stewart, M'Dowall, Vance, Sawyer, Dickens, Ferebee, I. Mebane, Dixon, Stallings, Leigh, Hannah, Handy, Caldwell, Matthews, Moore, M'Laine, Irwin, Polk, Martin, Gaither, Porter, Taylor, Philips, Regan, Houser, Sutherland, Sanders, Franklin, Nash, Guion, Hay, Simpson, Turner, Sutton, Creecy, Borden, Jones, Witherspoon, Hamilton, Chambers, Dowd.—46.

Nays.—Mess. Smith, I. Hill, A. Davis, Person, Yancey, Sumner, Alston, Montgomery, Carrington, A. Mebane, S. Allen, Bailey, Robinson, Blewit, Macon, Hawkins, Fulford, Duke, Pickett, W. Hill, H. Hill, Jasper, Bell.—22.

Received from the Senate a bill for obtaining an accurate map of the State, endorsed "Read the first time and passed." Also a bill for subscribing on loan in the office of the Commissioner of the United States, such continental monies, and continental and state securities, as are or may be in the hands of the Treasurer or Comptroller of this State belonging to the public, or which shall be in the hands of either of them on the last day of September next, and

for appropriating certain monies as therein mentioned, endorsed "Read the second time and passed."

Ordered, That the bill to regulate the administration of justice be printed for information, and annexed to the laws enacted this session.

The house adjourned till to-morrow morning, 9 o'clock.

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WEDNESDAY, December 8, 1790.

Met according to adjournment.

The committee to whom the bill for forming the western parts of Burke and Rutherford counties into a separate and distinct county, was referred, report—That the remote situation of the inhabitants of said counties from their respective court houses, who reside west of the mountains, and within the limits ascertained in the said bill, the extreme difficulty of attending courts, musters, &c., in the winter session, passing through mountains sixty or seventy miles, are grievances, in the opinion of the committee, which merit the attention of the legislature, and ought to be remedied; therefore they recommend the said bill be passed into a law. Which is submitted.

LEVI DAWSON, Ch.

Resolved, That the house do concur with this report.

The committee to whom the petition and bill for removing the court house in the county of Montgomery were referred, delivered in a report thereon, which being read,

Ordered, That the said report and bill be laid over until the next Assembly.

Ordered, That Mr. Pride have leave to absent himself from the service of this house after this day.

Received from his Excellency the following message:

To the honourable the General Assembly.

GENTLEMEN:

I send you herewith a letter from his Excellency the Governor of Virginia, respecting the boundary line between that State and North Carolina: Not having the journals, or seeing any law, I am unacquainted with the transactions on this subject referred to in his letter, coming into the administration of the State late in the session of the last Assembly. You will please to instruct me what answer I am to return to the Governor of Virginia.——Also another letter, with a copy of an act of the General Assembly of Virginia, to amend the

act for cutting a navigable canal from the waters of Elizabeth river in that State to the waters of Pasquotank river in the State of North Carolina, which, at his Excellency's request, I do myself the honour to lay before you. ALEX. MARTIN.

The foregoing message and papers therein referred to being read, a motion was made by Mr. Jones, and seconded by Mr. Hamilton, that the whole of the papers be referred to a committee, to consist of one member from each district in the State; this being objected to, the question was put to refer the papers, and negatived; whereupon the yeas and nays were called for by Mr. Jones, and seconded by Mr. Hamilton, which are as follows, to-wit:

Yeas.—Mess. Smith, Stewart, Vance, Dixon, Stallings, Leigh, Bell, Jasper, Handy, H. Bryan, Matthews, Polk, Scull, Spicer, Thomson, Guion, Fulford, Simpson, Creecy, Borden, Jones, Witherspoon, Hamilton, Chambers, M'Kinne.—25.

Nays.—Mess. Wood, Dawson, Stone, Sawyer, Dickens, Ferebee, I. Mebane, Williams, Croom, I. Hill, A. Davis, Person, Yancey, Sumner, Alston, Montgomery, Peters, Caldwell, Moore, Irwin, Cherry, Slade, Ussory, Martin, Tarver, Bonds, Carrington, A. Mebane, Perry, Everigin, Lock, Gaither, Porter, Taylor, Philips, Bailey, Brown, Regan, Robinson, Blewit, Lovell, Bostwick, Grove, Sutherland, Sanders, Lewis, Macon, Hawkins, Pender, Nash, Hay, Turner, Graves, Spruill, Sutton, I. Allen, Duke, Dowd, Pride, W. Hill, H. Hill.—61.

Mr. Taylor moved for leave to bring in a bill to amend an act passed this session, entitled "An act for cutting a navigable canal from the waters of Pasquotank river in this State to the waters of Elizabeth river in the State of Virginia." Ordered, That he have leave.

Ordered, That the following message be sent to the Senate:

Mr. Speaker and Gentlemen:

We herewith send you a message from his Excellency the Governor, with the dispatches therein referred to.

Mr. Polk moved for leave and presented a bill to increase the jurisdiction of the county courts in this State; which was read the first time, passed and sent to the Senate.

Received from the Senate the following message:

Mr. Speaker and Gentlemen:

The whole of the recommendations for Justices and Field-Officers

by you sent us, we have agreed to, that for the appointment of officers in the county of Johnston excepted, which we have thought proper to reject; and have caused an attested copy to be delivered the Governor in order that commissions may issue.

Ordered, That the following message be sent to the Senate:

Mr. Speaker and Gentlemen:

We propose that you reconsider the recommendation made in this house for officers in Johnston county, and concur therewith.

Received from the Senate the following message:

Mr. Speaker and Gentlemen:

The address which accompanies this, we propose shall be presented to the Hon. Alexander Martin immediately, and have appointed for this purpose on our part Col. Hargett and Col. M'Dowall.

Received the address alluded to in the above message; which being read was rejected, and the following entered into by this house in lieu thereof, viz:

To his Excellency Alexander Martin, Esq., Governor, &c.:

SIR:

The General Assembly having re-elected you Chief Magistrate of this State for the ensuing year, request to be informed when it will be convenient for you to take the oaths of qualification and enter on the duties of your office.

Ordered, That the following message be sent to the Senate:

Mr. Speaker and Gentlemen:

We do not agree to the message proposed by you to be sent to his Excellency the Governor, but propose the one now sent you in lieu thereof. We have appointed Mr. Guion and Mr. Witherspoon, on the part of this house, to wait on his Excellency with the same.

Mr. Grove presented the petition of Wm. Lord; which being read, was referred to the committee of propositions and grievances No. 1, and sent to the Senate.

The bill to establish two places in the county of Caswell for the purpose of holding two general musters therein, was read the third time, passed and sent to the Senate.

Mr. Grove moved for leave and presented a bill to annex part of Robeson county to Cumberland county; which was read the first time and rejected.

The bill for levying a tax in the district of New Bern for repairing

the jail of said district, was read the first time, passed and sent to the Senate.

The bill to amend an act, entitled, "An act directing the mode of raising a fund in the several ports of this State for the support of sick seamen, and the manner of appropriating the same," passed at Fayetteville, 1789, was read the first time, passed and sent to the Senate.

Received from the Senate the following message:

Mr. Speaker and Gentlemen:

We propose that the Clerks of the two houses be directed to make up the estimates to include Saturday next, at the rate of twenty shillings per day and the same sum for every thirty miles travelling to and from the General Assembly.

Ordered, That the following message be sent to the Senate:

Mr. Speaker and Gentlemen:

We have received the message of your house proposing that the estimates be made up to include Saturday next, with which we do not agree, being of opinion that the business cannot be finished by that time; we therefore propose that they be made up to include Monday next; as to the daily pay and travelling, we agree.

Resolved, That Jesse Leister, formerly a Justice of the Peace in Surry county, and who resides in a part of the county, that since the division thereof has fallen into Stokes county, and who, on a recommendation for Justices of Stokes county was left out of the commission of the peace for the said county, be, and he is hereby reinstated in the commission of the peace; and that he shall be considered to stand in the same seniority of a Justice of the Peace for Stokes, that he did in Surry county.

The bill to amend an act, entitled, "An act directing the manner of electing Representatives to represent this State in Congress, was read the second time, amended, passed and sent to the Senate.

Ordered, That the following message be sent to the Senate:

Mr. Speaker and Gentlemen:

We have received information of the death of Mr. Richard Grist, one of the members of this house, and propose that the members of the two houses attend his corpse to the place of interment, at four o'clock to-morrow evening.

Received from the Senate the following messages:

Mr. Speaker and Gentlemen:

We agree to the address by you proposed to be presented to the

Hon. Alexander Martin, in lieu of the one entered into by this house.

Mr. Speaker and Gentlemen:

This house from a belief that the reports of a committee of the present Assembly in favour of Col. Murfree and Major M'Ree are erroneous, have reconsidered them, and now propose (should the measure meet your concurrence) that they be committed to a special committee, and have appointed Mr. M'Dowall, Mr. Courtney and Mr. Owen.

Ordered, That the following message be sent to the Senate:

Mr. Speaker and Gentlemen:

We agree that the reports on the petition of Col. Murfree and Major M'Ree, be committed to a special committee as by you proposed; and have for this purpose appointed Mr. Polk, Mr. Person, Mr. Macon, Mr. Mebane, Mr. Smith and Mr. Jones on our part.

Received from his Excellency the Governor the following message:

To the Honourable the General Assembly:

GENTLEMEN:

In answer to your message of this day, I return you my hearty thanks in having elected me again to the Chief Magistracy of the State, a station I prize the more honourable to me as having been called to it by the almost unanimous suffrage of the Legislature. I can only promise in return I shall use my endeavours to discharge the important duties committed to my trust to the utmost of my skill and abilities, so as to merit the continuance of the favourable opinion of my country.—It will be convenient for me to-morrow at twelve o'clock, to attend your body to take the oaths necessary for my qual ification, at which time I propose to be ready to do myself that honour.

ALEX. MARTIN.

Fayetteville, Dec. 8, 1790.

Ordered, That the following message be sent to the Senate:

Mr. Speaker and Gentlemen:

We herewith send you a message of this day's date from his Excellency the Governor giving information of the time it will be convenient for him to attend on the General Assembly in order to take the oaths of qualification. We have on the part of this house appointed Mr. Smith and Mr. Polk to attend his Excellency from his lodgings.

Received from the Senate the following bills:—A bill for the in-

spection of tobacco on Dan river, on the lands of Thomas Houston, in Caswell county. A bill to regulate the practice of physic. A bill for laying a tax in the district of New Bern for repairing the gaol of the said district. A bill to increase the jurisdiction of the county courts in this State. Endorsed "Read the first time and passed." Also a bill to regulate and fix the prices for inspecting and coopering tobacco. A bill directing the Entry-takers as to their duty in office respecting certain cases therein mentioned. A bill to revive and amend an act passed in the year of our Lord 1715. Entitled, "An act for preventing disputes concerning lands already surveyed." Endorsed "Read the second time and passed."

The committee of propositions and grievances No. 2, to whom the petition of William Cook and Jonathan Hains was referred, report—That from information before the committee, it appears that the petitioners, being guardians to the orphans of William Ridge, dec., instituted a suit against a certain William Tyrrel Lewis, for the recovery of negroes belonging to the said orphans—That a certain Thomas Ridge was their principal evidence in the cause, and that the said William Tyrrel Lewis, being a Justice of the Peace, did issue a warrant against him the said Thomas Ridge for burning a house about ten years ago, then the property of a tory, caused him to be brought before himself, and committed him to Morgan district gaol. It further appears, that from an idea the said Thomas Ridge entertained of the influence the said William Tyrrel Lewis had in that country, and the warmth he appeared to have in bringing forward and carrying on the prosecution, that he would be much injured; and in order to extricate himself, broke gaol and removed to the State of Virginia.——Your committee after considering the circumstances, together with the testimony, are of opinion that the prosecution was malicious, and brought forward with no other view than that of preventing him the said Thomas Ridge from giving evidence in the suit mentioned in the petition, and do recommend that the said Thomas Ridge be exonerated from the said prosecution. Which is submitted.

WYATT HAWKINS, Ch.

Resolved, That the house do concur with this report; whereupon Mr. Hawkins moved for leave and presented a bill for the relief of Thomas Ridge; which was read the first time, passed and sent to the Senate.

We protest against the bill entitled, "A bill vesting the property

of certain negroes in the heirs of Mark Newby," passing into a law, for the following reasons:——1st. Because the operation of this bill is tyrannic and unconstitutional, as it tends to perpetuate the slavery of persons emancipated by the act, and the will of the man whose property they were, and who alone had a right to dispose of their liberty.——2d. Because the unfortunate persons thus unjustly deprived of liberty were free, and are doomed to slavery unheard.—3d. Because the interference of the legislature to change or annul the intentions of any citizen, clearly expressed in the last will and testament, is a most dangerous precedent, is unjust and illegal.

JAMES TAYLOR,
F. R. GAUTIER,
W. M'LAINE,
B. SMITH,
W. NASH,
W. MARTIN.

The house adjourned until to-morrow morning, 9 o'clock.

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THURSDAY, December 9, 1790.

Met according to adjournment.

Ordered, That Mr. Bostwick have leave to absent himself from the service of this house after this day.

Received from the Senate the following message:

Mr. Speaker and Gentlemen:

We have appointed Mr. Macon and Mr. Hargett on the part of this house, to examine and burn such of the paper money now in the hands of the Treasurer, as is unfit for further circulation.

Ordered, That the following message be sent to the Senate:

Mr. Speaker and Gentlemen:

We agree to your proposition for appointing a committee to receive from the Treasurer the money unfit for circulation, and to burn the same, and have for this purpose appointed Mr. Scull, Mr. Lock, Mr. Polk, and Mr. Sanders.

Mr. Hawkins from the committee of propositions and grievances to whom was referred the petition of Thomas Wright, delivered in a report thereon; which being read, was ordered to lie over until the next Assembly: Whereupon, Resolved, That the public Treasurer be,

and he is hereby directed not to commence suit against Thomas Wright, Sheriff of New Hanover county, for any arrears for the year 1785, until after the rising of the next General Assembly.

Received from the Senate a resolution of that house directing the public Treasurer to receive of John Armstrong, Entry-taker, &c.; bonds taken by him for entries made in his office in discharge of the arrears due by him as Entry-taker, &c., which being read, was rejected.

Mr. Hamilton moved that the House enter into the following resolution, viz.:

"Whereas the sixth article of the constitution of the United States declares that the Senators and Representatives in Congress, and the members of the several State legislatures, and all executive and judicial officers, both of the United States and of the several States, shall be bound by oath to support the constitution of the United States: And whereas by a law of Congress, passed at New York, in June, 1789, entitled "An act to regulate the time and manner of administering oaths," the form of an oath is pointed out to support the constitution of the United States, together with the times, the mode and manner in which it is to be taken by all public bodies and public officers: Resolved, That his Excellency the Governor of the State of North Carolina, and the members of both houses of the General Assembly, do, on the — day of —— take the following oath as pointed out by the said act: *I, A. B. do solemnly swear or affirm* (as the case may be) *that I will support the constitution of the United States.*"

The question being put, "Will the house enter into this resolution?" was negatived: Whereupon the yeas and nays were called for by Mr. Hamilton, seconded by Mr. Porter; which are as follows, to-wit:

Yeas.—Mess. Wood, Stone, Smith, Gautier, Jasper, Caldwell, Matthews, Moore, M'Laine, Irwin, Polk, Everigin, Reading, Lock, Taylor, Lewis, Franklin, Hay, Fulford, Turner, Sutton, Creecy, Witherspoon, Hamilton, Chambers, Handy.—26.

Nays.—Mess. M'Dowall, Dickens, Ferebee, I. Mebane, Croom, Leigh, Bell, Dawson, I. Hill, Person, Yancey, Hannah, Sumner, Alston, Montgomery, Peters, H. Bryan, Cherry, Slade, Butler, Ussory, Martin, Tarver, Scull, Carrington, A. Mebane, S. Allen, Perry, Gaither, Porter, Phillips, Bailey, Regan, Robinson, Blewit, Lovell, Thompson, Houser, Bostwick, Sutherland, Sanders, Macon, Hawkins, Pender, Guion, M'Kay, Simpson, Graves, Spruill, Borden, Jones, Pickett, M'Kinne, W. Hill, A. Davis.—55.

Mr. Hamilton moved for leave and presented a bill the better to

support the district gaol of Edenton; which was read the first time, and rejected.

Resolved, That the Clerk of this house contract with the printer in Fayetteville, to print the titles of all the acts passed during this session, and the bill for the appointment of Representatives, one copy for each member of the General Assembly, and also the certificates for the attendance of the members.

Received from the Senate the following message:

Mr. Speaker and Gentlemen:

Mr. Graham and Mr. Wynn, will on the part of this house, wait on and conduct the honourable Alexander Martin, Esq., into the presence of the General Assembly, in order for his qualification.

Received from the Senate the petition of Joseph Green, endorsed "Read and referred to Mr. Hargett, Mr. Dickson and Mr. Clinton;" which being read, was rejected.

Received from the Senate two petitions from Rutherford county; which being read, were ordered to lie over until the next Assembly.

Ordered, That Mr. Nash and Mr. Lewis have leave to absent themselves from the service of this house after this day.

Received from the Senate the report of the committee on the bill for forming the western parts of Burke and Rutherford counties into a separate county, concurred with.

The bill empowering the county courts of pleas and quarter sessions to direct the Secretary of State to correct certain patents or grants therein described, when there have been errors by the Surveyor in making the returns, or by the Secretary to issuing the same, was read the third time, passed and ordered to be engrossed.

Whereas it is represented to this General Assembly that Samuel Cherry, John Smith, Matthew Luther, Charles Waldron and Luke Osborne, inhabitants of the counties of Martin, Pitt and Edgecombe, in the State aforesaid, have at the instance of John Worsley, of Dobbs county, been indicted in the Superior court of New Bern district, for injury and violence done to him the said Worsley, and are now fined and imprisoned in the gaol of the said district on that account: And it being further represented that the said Worsley, jointly with others of the said counties, by their evil and villainous practices, had incensed the above named inhabitants in such manner as to lead them to the deeds for which they are now imprisoned and fined: Resolved, therefore, that the fines on the said Samuel Cherry, John

Smith, Matthew Luther, Charles Waldron and Luke Osborne, and every of them, be, and they are hereby remitted; and that his Excellency the Governor be, and he is hereby requested to grant a pardon to each of them, and to cause that they be released from imprisonment on their paying all cost.

The bill to regulate the practice of physic, was read the second time and rejected.

Received from the Senate the following message:

Mr. Speaker and Gentlemen:

We do not agree to reconsider the recommendations for officers in Johnston county.

The bill to amend an act, entitled, "An act for establishing a militia in this State," passed at Fayetteville, 1786, was read the second time, amended, passed and sent to the Senate.

The bill to regulate and fix the prices for inspecting and coopering tobacco, was read the second time, amended, passed and sent to the Senate.

Mr. Leigh moved for leave and presented a bill to amend an act, entitled, "An act to amend an act, passed at New Bern, in December, 1785, entitled An act for increasing the jurisdiction of the county courts of pleas and quarter-sessions, and of the Justices out of court, and directing the time of holding courts in this State;" which was read the first time and rejected.—Whereupon Mr. Taylor observed to the Speaker that there was a thin house, and that he should in a full house move to take up the bill again.

Mr. Speaker and Gentlemen:

We are now ready to receive the Hon. Alexander Martin in order for his qualification, and propose that the two houses assemble in the Commons hall for this purpose.

Received from the Senate a bill to amend an act, entitled, "An act for raising a fund for the support of sick seamen, and the manner of appropriating the same," passed at Fayetteville, 1789, endorsed "Read the first time and passed."

The Senate and Commons assembled in conference, the Speakers and members being seated, the members appointed by both houses to attend his Excellency the Governor and conduct him to the place appointed for his reception; accordingly attended on and conducted him to the Commons hall, who then and there, in presence of both

houses of the General Assembly, qualified as Governor, by taking the oath of allegiance, and also an oath of office.

Received from the Senate the following message:

Mr. Speaker and Gentlemen:

We lament the death of Mr. Grist, a member of your house, and will attend his interment agreeable to your request.

The house adjourned till 4 o'clock, P. M.

Met according to adjournment.

And adjourned until to-morrow morning, 9 o'clock.

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FRIDAY, December 10, 1790.

Met according to adjournment.

Ordered, That the following message be sent to the Senate:

Mr. Speaker and Gentlemen:

We propose that the General Assembly proceed to ballot to-morrow, at 4 o'clock in the afternoon, for the additional Judge and Solicitor General; and nominate for Judge, John Hay, Waightstill Avery and Adlai Osborne, Esquires—and for Solicitor-General Spruce M'Kay, William R. Davie, John Haywood and John L. Taylor, Esquires.

Mr. Hay moved for leave and presented a bill for altering the time of holding the several county courts of pleas and quarter-sessions therein mentioned; which was read the first time, passed and sent to the Senate.

Received from the Senate a bill for the relief of Thomas Ridge, endorsed "Read the first time and passed." Also a bill for raising a revenue for the payment of the civil list, &c., endorsed "Read the second time and passed."

Received from the Senate the report of the committee on the accounts of James Blount, concurred with by that house; which being read, was rejected: Whereupon, Mr. Mebane moved for leave to withdraw the accounts and vouchers on which the report was founded. Ordered, That he have leave.

Received from the Senate the following message:

Mr. Speaker and Gentlemen:

Mr. Hargett, Mr. M'Dowall and Mr. Dixon, will on the part of this house act with the gentlemen by you named, to confer and amend the bill relative to fraudulent certificates.

The committee of claims, to whom was referred the petition of Frances Bain, John Hall, William Hall and Roger Hall, report—That it appears to your committee that the said petitioners are the surviving sister and brothers of Thomas Hall, deceased, who was a Lieutenant in the Continental line of this State at the time of his death, and that the said petitioners have never received the benefit of an act passed in the year 1785, granting seven years half-pay to the relations of such officer as died in the service.—Your committee are of opinion, that the Governor be directed to issue a warrant on the Treasury for the arrearages that may be due of the said half-pay, in behalf of the petitioners, agreeably to the prayer of the said petition. All which is submitted.

ROBERT IRWIN, Ch.

Resolved, That the house do concur with this report.

Mr. Person from the committee to whom was referred the petition of Jeptha Terrel, delivered in a report thereon; which being read, was rejected.

The bill for raising a revenue for the payment of the civil list, and contingent charges of government, for the year 1791, was read the second time, amended, passed and sent to the Senate.

Mr. Dawson, from the committee to whom the bill for annexing part of the county of Wilkes to the county of Surry, with the petition to that effect, were referred, reported—That annexing part of the county of Wilkes to the county of Surry would greatly conduce to the convenience of the petitioners; and as that addition will not affect the situation of the public buildings in either county, or is in any wise contrary to the wish of the Representatives from each county,—the committee therefore beg leave to recommend, that the bill for annexing part of Wilkes to Surry county, be passed into a law. Which is submitted. LEVI DAWSON, Ch.

Resolved, That the house do concur with this report.

Received from the Senate the following message:

Mr. Speaker and Gentlemen:

We do not agree to your proposition for balloting to-morrow evening, for a Judge and Solicitor-General, but propose that that business be proceeded on this evening, and approve of your nominations. We also propose that an Agent for settling the accounts of this State

with the United States, to supply the place of Hugh Williamson, Esq., and first and second Major of artillery, be balloted for at the same time; and name John M. Benford and William J. Dawson.

Ordered, That the following message be sent to the Senate:

Mr. Speaker and Gentlemen:

We agree to ballot this evening, instead of to-morrow evening, as by you proposed, but do not agree to ballot for an Agent in the room of Hugh Williamson, nor for the officers of artillery. We further nominate for Judge, William Cumming, Esq.

The bill to amend an act, entitled, "An act directing the mode of raising a fund in the several ports of this State for the support of sick seamen, and the manner of appropriating the same," passed at Fayetteville, 1789, was read the second time, passed and sent to the Senate.

The bill for annexing part of the county of Wilkes to the county of Surry, was read the first time, passed and sent to the Senate.

Ordered, That the bill directing in what manner the acts of the General Assembly of this State shall be printed in future, be laid over until the next Assembly.

Received from the Senate the following message:

Mr. Speaker and Gentlemen:

We propose that the act of the Virginia Assembly, relative to cutting a canal from this State to that, be committed to a special committee, and have appointed Mr. M'Dowall, Mr. Macon and Mr. Johnson.

Ordered, That the following message be sent to the Senate:

Mr. Speaker and Gentlemen:

We agree that the act of the Assembly of the State of Virginia to amend the act for cutting a canal, &c., be committed as by you proposed. We have for this purpose on our part appointed Mr. Jones, Mr. Taylor, Mr. Person, Mr. Leigh and Mr. Polk, a committee.

Ordered, That the bill for obtaining an accurate map of the State, be laid over until the next Assembly.

Received from the Senate the resolution of this house directing the Treasurer not to commence suit against Thomas Wright, Sheriff of New Hanover county, for the arrears of the year 1785; and the report of the committee on the petition of Francis Bain, John Hall, &c., concurred with by that house.

The bill directing the Entry-takers as to their duty in office re-

specting certain cases therein mentioned, was read the third time and rejected.

Received from the Senate the petition of James Carstaphin, endorsed "Read and referred to the committee on the petition of Joseph Green," which being read, was ordered to lie over until next Assembly.

Received from the Senate a bill for altering the time of holding the several county courts, &c. Endorsed "Read the first time and passed." Also a bill to amend an act, entitled, "An act directing the manner of electing Representatives to represent this State in Congress," endorsed "Read the second time and passed."

Received also the following bills, viz.:—A bill to amend an act, entitled, "An act directing the mode of raising a fund in the several ports of this State, for the support of sick seamen," &c. Endorsed "Read the second time and passed." A bill to regulate and fix the prices for inspecting and coopering tobacco. A bill to amend an act, entitled, "An act for establishing a militia in this State." Endorsed "Read the third time and passed."

Ordered, That the following message be sent to the Senate:

Mr. Speaker and Gentlemen:

We add to the nomination for a Judge, Spruce McKay and John Sitgreaves, Esquires; and withdraw from the nomination for Solicitor, the name of Mr. M'Kay.

The house adjourned till 4 o'clock, P. M.

Met according to adjournment.

Received from the Senate the following message:

Mr. Speaker and Gentlemen:

We are now ready to ballot, and have appointed Mr. Courtney and Mr. Phillips to superintend the same.

Ordered, That the following message be sent to the Senate:

Mr. Speaker and Gentlemen:

We have appointed Mr. Alston and Mr. Scull to superintend and conduct the balloting on the part of this house. Mr. Sitgreaves's name, as Judge, is withdrawn.

Received from the Senate the memorial of Charles Bruce, endorsed "Referred to the committee on the petition of Hardy Murfree;" which being read, was referred as by the Senate and returned.

Mr. Dawson moved for leave and presented a bill to authorise

and empower the Secretary of State to alter the line of a certain tract of land lying in Craven county, the property of John Duberlee; which was read the first time and laid over until the next Assembly.

The committee of proposition and grievances No. 2, to whom was referred the petition of William Dry, Entry-taker of Brunswick county report—That from the information of Col. Smith, it appears Dry was at the time of his being cited by the Treasurer to settle his public accounts by the first of October, indisposed, and continued sick until the time the Treasurer cited him to appear had elapsed, and was thereby prevented from complying with the notice; whereupon the Treasurer entered judgment against the petitioner for one hundred pounds, being the penalty by law prescribed for failures of this kind.—Your committee on considering the circumstances, are of opinion that the said William Dry did not delay his settlement with the Treasurer with any view of defrauding the public, therefore recommend that he be exonerated from the said penalty, on his paying the costs accruing thereon. Which is submitted. W. HAWKINS, Ch.

Resolved, That this house do concur with this report.

The bill for the inspection of tobacco on Dan river, on the lands of Thomas Harrison, in Caswell county, was read the first time, passed and sent to the Senate.

The committee of proposition and grievances No. 2, to whom was referred the petition of Thomas M'Laine, report—That in consequence of the indisposition of Mr. M'Laine for many months past, which has been made appear to your committee by the evidence of several members of this house, they recommend that the Treasurer be directed to suspend the execution issued against him for three months, in which time, if he pays the balance due by him to the public, with the costs of suit, he shall be released from the penalty directed by law. Which is submitted.

WYATT HAWKINS, Ch.

Resolved, That the house do concur with this report.

The bill for levying a tax in the district of New Bern for repairing the jail of said district, was read the second time, amended, passed and sent to the Senate.

Mr. Irwin from the committee, &c., delivered in a report; which being read and amended, was agreed to as follows, viz.:

The committee to whom was referred the resolutions to be for-

warded to the Senators of this State in the Congress of the United States, and the propriety of drawing further instructions to the said Senators, report that they do recommend the following resolutions:

Whereas the secrecy of the Senate of the United States, the alarming measures of the late session of Congress, and the silence observed by the Senators of this State in not corresponding with the Legislative or Executive thereof, strongly impress this General Assembly with the necessity of declaring their sentiments thereon:

Resolved, That the Senators representing this State in the Congress of the United States, be and they are hereby directed to use their constant and unremitted exertions, to have the doors of the Senate of the United States kept open, that the public may have access to hear the debates of the Senate when in its legislative or judicial capacity.

Resolved, That when in Congress they be directed to correspond regularly and constantly with the Legislature, but during the recess thereof with the Executive.

Resolved, That they use their endeavours to have such of the journals as are not of a secret nature, printed and transmitted, by post or otherwise, to the Executive regularly, during each session of Congress.

Resolved, That the Senators of this State use their utmost endeavours to effect economy in the expenditure of the public monies, and to decrease the enormous salaries given to the public officers and others; who, however much they may be deserving of the public gratitude or liberality for the eminence of past or present services, ought only to be compensated agreeable to republican economy.

Resolved, That they strenuously oppose every excise and direct taxation law, should any be attempted in Congress.

Resolved, That the Senators from this State be and they are hereby strenuously enjoined, to exert themselves to effect an alteration in the present route of the mail; or to establish another general post through the interior parts of the State, by the way of Halifax, Warrenton, Hillsborough, Salisbury and Charlotte, so as to give that satisfaction which is not now experienced, but which is essential in such a government as that under which we now exist.

And whereas from the present distribution of the federal judiciary, this State does not receive the benefit intended them by Congress: Therefore, Resolved, That our Senators be directed to have the dis-

trict and circuit courts appointed at two places in this State, to make it convenient to the citizens.

Resolved, That his Excellency the Governor be requested to transmit a copy of the foregoing resolutions to Samuel Johnston and Benjamin Hawkins, Esquires, the Senators representing this State in the Congress of the United States; and another copy to the legislature of each State. All which is submitted.

ROBERT IRWIN, Ch.

The house taking this report into consideration, concurred therewith.

Ordered, That the following message be sent to the Senate:

Mr. Speaker and Gentlemen:

We herewith send for your concurrence sundry resolutions reported by a special committee of this house, which we propose shall be transmitted to the Senators from this State in the Congress of the United States.—These resolutions we propose in lieu of the former on that subject.

The house adjourned till to-morrow morning, 10 o'clock.

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SATURDAY, December 11, 1790.

Met according to adjournment.

Received from the Senate the following message:

Mr. Speaker and Gentlemen:

This house from a belief that the sum of twenty shillings per day is inadequate to the expences and service of the members of the present Assembly, propose that the Speakers of the two houses be allowed at the rate of thirty, and the members twenty-five shillings per day; and after the same rate for every thirty travelling to and miles from. We have rejected your proposition relative to making up the estimates to include Monday, and propose Wednesday next.

The question to agree to the proposition contained in the foregoing message from the Senate being put, was carried in the affirmative: Whereupon the yeas and nays were required by Mr. Person, seconded by Mr. Montgomery; which are as follows, to-wit:

Yeas.—Mess. Wood, Dawson, Smith, Stewart, M'Dowall, Sawyer, Dickens, Yancey, Sumner, Jasper, Peters, Handy, Caldwell, Moore, M'Laine, Cherry, Ussory, Martin, Tarver, Bonds, Scull, Perry, Lock,

Gaither, Porter, Philips, Bailey, Hawkins, Turner, Graves, Spruill, Sutton, Creecy, Duke, Jones, Pickett, W. Hill, Chambers.—38.

Nays.—Mess. Lanier, Ferebee, I. Mebane, Croom, Leigh, I. Hill, A. Davis, Person, Hannah, Alston, Montgomery, Matthews, E. Bryan, Slade, Spicer, Carrington, A. Mebane, S. Allen, Everigin, Reading, Taylor, Regan, Blewit, Houser, Grove, Sutherland, Sanders, Lewis, Macon, Hay, Simpson, Borden, Witherspoon, Hamilton, M'Kinne.—35.

Mr. Franklin desired that his name might be entered as a nay, and Mr. Stone that his might be entered as a yea; both being absent at the time the question was taken.

The Speaker requested that he might be at liberty to receive only the same sum for his daily pay as the other members of the General Assembly.

Ordered, That the following message be sent to the Senate:

Mr. Speaker and Gentlemen:

We agree to your proposition for making up the estimate of allowances to the members of the General Assembly.

Mr. Lewis moved for leave and presented a bill to free all men that are fifty years of age, from paying a poll-tax and from mustering in the militia; which was read the first time and rejected.

Received from the Senate the bill for raising a revenue for the payment of the civil list, and contingent charges of government, for the year 1791, &c. Endorsed "Read the third time and passed."

Received from the Senate the following message:

Mr. Speaker and Gentlemen:

We agree that the printer shall be employed to print the act for dividing the districts, certificates for the members attendance, &c., agreeable to your proposition.

Received from the Senate the resolution of this house, remitting the fine imposed by the superior court of New Bern district on Samuel Cherry, John Smith, Matthew Luther, Charles Waldron and Luke Osborne, &c., concurred with by that house.

Mr. Jones presented the petition of the merchants of the town of Wilmington, praying that the Collector may be directed to grant indulgence to the debtors to the Collector's office for Fort Brunswick which being read, a motion was made that the petition be referred to a special committee. This being objected to, the question was put, "Will the house commit the petition?" and negatived: Where-

upon, the yeas and nays were required by Mr. Jones, and seconded by Mr. Dawson; which are as follows, to-wit:

Yeas.—Mess. Smith, Gautier, Stewart, Hay, M'Dowall, Vance, Leigh, Alston, Irwin, Slade, Scull, Spicer, Lock, Gaither, Porter, Taylor, Grove, Macon, Borden, Lord, Jones, Witherspoon, Hamilton, Chambers.—24.

Nays.—Mess. Wood, Lanier, Dawson, Stone, Sawyer, Dickens, Ferebee, J. Mebane, Williams, Croom, Bell, J. Hill, A. Davis, Person, Yancey, Sumner, Montgomery, Jasper, Handy, H. Bryan, Matthews, E. Bryan, Moore, Cherry, Tarver, Bonds, A. Mebane, S. Allen, Perry, Phillips, Brown, Blewit, Thomson, Houser, Sutherland, Sanders, Lewis, Franklin, Hawkins, Pender, Turner, Graves, Spruill, Sutton, Creecy, Duke, M'Kinne, H. Hill.—48.

Received from the Senate the report of the committee on the memorial of Farquer Campbell, endorsed "Read and concurred with;" which being read, was concurred with by this house and returned.

Received from the Senate a bill to erect the western parts of Burke and Rutherford counties into a separate and distinct county, endorsed "Read the first time and passed."

Ordered, That this bill be read on Monday next for the second reading in this house.

We protest against an increase of the allowance to the members of the General Assembly, for the following reasons, viz:

DISSENTIENT.—1st. Because one great cause of complaint against the measures of the United States, is their enormous salaries. How inconsistent to complain of theirs, and increase our own?

2d. Because the present situation of this State calls for every exertion of economy; this is a bad example to produce such an effect

JAMES TAYLOR,
NATH. MACON,
JESSE FRANKLIN,
W. B. GROVE,
JOHN SPICER,
BYTHELL BELL,
ROBERT MONTGOMERY,
HENRY HILL,
ROBERT IRWIN,
R. SUTHERLAND.

The house adjourned till 4 o'clock, P. M.

Met according to adjournment.

The bill for the relief of Thomas Ridge, was read the second time, passed and sent to the Senate.

The Committee to whom the letter from the Governor of Virginia, on the boundary line between this and the State of Virginia, was referred, report—That it is the opinion of your committee, the boundary line between the States of North Carolina and Virginia be confirmed, agreeably to a report of a committee, concurred with by both houses, last session of Assembly; and that a law be passed confirming the line commonly called Walker's Line, as the boundary between the States of North Carolina and Virginia, reserving the rights of the oldest patents, grants or entries made in either of the States. All which is submitted. THOMAS PERSON, Ch.

Resolved, That the house do concur with this report.

The committee to whom the act of the legislature of Virginia, respecting the canal to be cut from the waters of Pasquotank river in this State to the waters of Elizabeth river in that State, was committed, report—That it be recommended to the next General Assembly to pass a law to carry into effect the proposed amendments from the State of Virginia, to the Pasquotank and Elizabeth river canal bill. All which is submitted. THOMAS PERSON, Ch.

Resolved, That the house do concur with this report.

Received from the Senate a bill for the inspection of tobacco on Dan river, &c.; endorsed "Read the second time and passed."

Received also a bill for the relief of Thomas Ridge, endorsed "Read the second time and passed."

The bill to amend an act, entitled, "An act directing the mode of raising a fund in the several ports of this State for the support of sick seamen, and the manner of appropriating the same," passed at Fayetteville, 1789, was read the third time, passed and sent to the Senate.

The bill to increase the jurisdiction of the county courts in this State, was read the second time, passed and sent to the Senate.

The bill to amend an act, entitled, "An act for establishing a militia in this State," passed at Fayetteville, 1786, was read the third time and rejected.

The bill for the inspection of tobacco on Dan river, on the lands of Thomas Harrison, in Caswell county, was read the second time, passed and sent to the Senate.

Received from the Senate a resolution of that house appointing Jesse Leister a Justice of the Peace for Stokes county; which being read, was concurred with and returned. Also the report of the committee on the letter from the Governor of Virginia on the subject of the boundary line; the report on the amendatory act for opening a canal from this State to Virginia, and the report on the petition of Thomas M'Laine; severally endorsed "Concurred with."

Received from the Senate a bill to increase the jurisdiction of the county courts in this State, endorsed "Read the second time and passed." Also a bill for the inspection of tobacco on Dan river, &c.; endorsed "Read the third time and passed."

Resolved, That the resolution of the last Assembly, directing the Attorney-General to foreclose the several mortgages given by James Williams, as a security on the several tracts of land purchased by him of William Moore, Commissioner of confiscation for the district of Hillsborough, be rescinded, so far as may operate on the lands sold by the said James Williams to John Willis, Michael Holt and Thomas Tomlinson; and that the Attorney-General be and he is hereby directed, not to foreclose the mortgages given by the said James for the lands aforesaid, but that the said lands shall in every respect be held and deemed as security for the purchase money, agreeably to the true intent and meaning of the law under which they were sold, this or any other resolution to the contrary notwithstanding.

The committee of propositions and grievances No. 2, to whom was referred the memorial of George Hooper, John Ingram and Nathan Ward, report—That from a certificate of the Collector and Naval officer for the port of Charleston, in South Carolina, it appears that George Hooper and John Ingram, two of your memorialists, paid duties for the use of the United States on goods by them imported in the month of September, 1789, amounting to six hundred and forty-four dollars. It also appears that it was the intention of the said George Hooper and John Ingram to have their goods shipped in a vessel consigned to them in Wilmington, port Brunswick, but their correspondent in London, not finding any vessel bound to Wilmington, shipped them in a vessel bound to Charleston. It also appears, from a certificate on the back of the bills of lading, that the same goods were immediately reshipped to Wilmington, and that by a certificate from the Collector of port Brunswick it is evident, that the said George Hooper and John Ingram hath been subjected to a further duty on the same goods; which duty, amounting to one hun-

dred and forty-six pounds eighteen shillings and nine pence, were secured agreeable to the laws of this State.——It also appears that Nathan Ward, one of the memorialists, did, between the months of October and March, 1789, and 1790, import into Wilmington, in this State, certain merchandize from Massachusetts Bay, and paid the duties as laid by Congress; but on the entry of the said merchandize at the port of Wilmington, was obliged to secure the duties as laid on by this State, amounting to near two hundred pounds—That the memorialists have made application to Congress for redress, but were refused.—Your committee are therefore of opinion, as the case of the memorialists appears to be a singular one, that it is the most eligible method they can point out, in order to do justice to the State and the memorialists, to thus state the facts, and submit them to the house to decide thereupon. Which is submitted.

WYATT HAWKINS, Ch.

The house taking this report into consideration, Resolved, That the prayers of the petitioners be rejected.

The bill for altering the time of holding the several county courts of pleas and quarter-sessions therein mentioned, was read the second time, passed and sent to the Senate.

The bill to revive an act passed in the year of our Lord 1715, entitled, "An act for preventing disputes concerning lands already surveyed," was read the second time and rejected.

Whereas his Excellency the Governor has expressed his doubts, whether under an act of the last session of Congress, it will be expedient for him to continue issuing warrants on the treasury in favour of the widows and orphans of the officers and soldiers of the North Carolina line who died in the service of the United States, as directed by an act of the General Assembly, passed at New Bern in the year 1785:

Resolved, That the said act of Congress extends to the widow or orphan of each officer, non-commissioned officer or soldier who was killed or died whilst in the service of the United States, and who is now placed on the books in the office of the Secretary for the department of war, as entitled to a pension by virtue of any act of the late Congress, or of the last session of the present Congress, and for whom provision has not been made by any State: Therefore,

Resolved, That his Excellency do as heretofore continue to grant

warrants to the persons entitled to them, agreeable to the provision of the said act of the General Assembly.

The bill for the relief of Thomas Ridge, was read the third time, passed and sent to the Senate.

Mr. Scull from the joint balloting for an additional Judge and a Solicitor-General, reported that Spruce M'Kay, Esq., was elected Judge; and John Haywood, Esq., Solicitor-General.

Resolved, That the house do concur with this report.

The committee appointed to receive the communications of Dr. Williamson, report—They have received from Hugh Williamson, as one of the Agents for settling the accounts of this State with the United States, the communication contained in the paper No. 1, hereto annexed: Whereupon your committee came to the following resolution.

Resolved, from the information laid before your committee, That all claims hereafter to be raised in account by the Agents, ought to be furnished them before the first of July next, or they will be otherwise barred.

It appears to your committee several expenditures for military purposes, as cannon furnished by Mr. Boretz, paid for in tobacco furnished by the commercial Agents of this State, and in monies from the treasury; also the expences incurred to this State for raising the cannon out of the water, which had been there deposited for the purpose of keeping them out of the hands of the enemy, under an act of Assembly authorising Mr. Josiah Collins and others to do the same—vessels sunk in Cape Fear to secure the harbour against the entrance of the enemy's larger vessels of war, with several galleys or armed vessels for the security of the different harbours within this State lost or destroyed, whereof the Comptroller hath not furnished the Agents account: Therefore,

Resolved, The Comptroller by this General Assembly be directed as speedily as possible to furnish the Agents with the above accounts, and all such others as are within his knowledge, and have not yet been transmitted to them.

It further appears to your committee that no accurate accounts of bounties paid to the militia employed in the general defence of the union, or in expeditions out of the State for the term of three, four and five months, or for drafts made by this State to supply its quota in the line of the continental army for the war or otherwise, hath yet been furnished; which if transmitted in due time, an account

against the United States may be thereon raised highly beneficial to this State: Therefore,

Resolved, In the opinion of this committee, his Excellency the Governor be directed forthwith to require the Colonels in the several counties in this State, as speedily as possible, to transmit to him, a well attested statement, expressing the time when, and the posts where the service was done; and of the bounties paid in the several counties by the individuals or classes bound to furnish substitutes, either for militia or continental soldiers, that the same may be forwarded without delay to the said Agents: To which your committee are of opinion, the bounty of lands given by the State to their officers and soldiers should be annexed, at the price the same usually sold at; which information your committee are of opinion should without delay be furnished by the Secretary of State.

From the information laid before your committee, it appears the said Agents have yet in their possession old continental money 109,446½ dollars, and in final settlements 734 52-90ths dollars; which in the opinion of your committee ought to remain with the said Agents until the legislature shall otherwise direct.——Your committee in further communication with the said Agent, were informed the Agents had examined the accounts settled at Warrenton, in 1786, and they are ready to report to the order of the General Assembly: As it appears to your committee such report may contain information highly necessary, your committee are therefore of opinion this General Assembly by resolve should direct it to be made without delay.

To your committee hath also been referred several communications from Col. Thomas, the other State Agent, marked No. 2, hereunto annexed—during the investigation of the matters and things therein contained, your committee received the further communication from the said Agent made to the several interrogatories; which communication is annexed to the papers, marked No. 3, hereto adjoined. Your committee beg leave to remark, that the claims exhibited, whereof the Agent makes mention, there are vouchers and documents, ought immediately to be stated by the said Agents, so as to procure a credit thereupon for this State in her account with the United States.

Your committee are further of the opinion the Agents of this State, ought monthly to send forward to the Executive abstracts of the progress of their proceedings. To your commitee it appears extremely doubtful, whether the mode of restraining the public accounts proposed, would be admitted; or if admitted, whether any advantage

can arise: Your committee have therefore come to no resolution thereupon. All which is submitted.

JOHN HAY, Ch.

Resolved, That the house do concur with this report.

Received from the Senate the report of the committee to whom was referred what further allowance should be made to the public Printers, &c. Ordered, That the same lie over until the next Assembly.

Received from the Senate a resolution of that house directing the Treasurer to stay execution against William Dry; a resolution requesting his Excellency the Governor to transmit an attested copy of the act for cutting a navigable canal from this State to Virginia, to the Executive of Virginia; and a resolution directing the Comptroller to issue a certificate to Robert Rowan, &c.; which being read, were severally concurred with and returned.

Received from the Senate a resolution of that house directing the Secretary to record a patent granted to Thomas Tyre; which being read, was rejected.

Received from the Senate the following reports, concurred with by that house; which being read, were severally concurred with by this house and returned, to-wit:—On the petition of Mary Cheshire, on the petition of John Ray, on the petition of John Eaton on the petition of Richard Walton, Henry Swink, John Dermid, Gilbert Clarke and others, on the petition of Thomas Turner, on the petition of Andrew Hampton, on the petition of Michael Montgomery, on the petition of David Baker, and on the petition of James Baker.

The committee of claims, to whom was referred the memorial of Joseph Leech, report—That they have taken under their consideration the said memorial, and are clearly of opinion that the same be rejected. Which is submitted. R. IRWIN, Ch.

Resolved, That the house do concur with this report.

Received from the Senate the resignation of Henry Davis, a Justice of the Peace for Rowan county; which being read, was accepted and returned to the Senate.

The committee of propositions and grievances No. 2, to whom was referred the petition of Joseph Blount, report—That it appears from the vouchers in support of the said petition, that the Comptroller has granted a certificate to Mr. Blount for the corn by him furnished, which in the opinion of the committee puts him on the same footing

with other citizens in this State, and cannot in justice to the public grant the said Mr. Blount any other relief. Which is submitted.

WYATT HAWKINS, Ch.

The committee of claims, to whom was referred the memorial of Charles Bruce, report—That the said Charles Bruce, as Commissioner of confiscated property for the district of Salisbury, instituted a suit against a certain John Lopp, for a negro man late the property of William Spurgen, which he supposed to be confiscated—That the said Bruce was non-suited in the said suit, and had the cost and charges to pay.—Your committee are of opinion, as it does not appear to them the said Bruce paid that attention which was necessary in the said suit, that the prayer of the memorial be rejected. Which is submitted.

R. IRWIN, Ch.

The committee of propositions and grievances, to whom was referred the petition of Benjamin Boyd, report—That on evidence before your committee, it does not appear that the said Benjamin Boyd was appointed Quarter-master under any law of this State, and if he had been legally appointed, no vouchers appear to substantiate his claim; wherefore your committee reject the petition. Which is submitted.

WYATT HAWKINS, Ch.

The committee to whom was recommitted the memorial of Griffith John M'Ree, Commissioner of confiscated property for the district of Wilmington, report—That in their opinion the Governor be directed to issue a warrant on the treasury in money, for the amount of his commissions on such sales of confiscated property as were by him made previous to the passing the resolve in 1785, which authorises the payment of certificates for such commissions; and that the Treasurer shall pay unto him the said M'Ree certificates out of the treasury, of a date prior to the 1st of January, 1790, for his commissions on such part as he has sold subsequent to passing said resolve, so far as he has settled his accounts and made actual payment, in the same manner as payment has heretofore been made to James Armstrong, Esq., Commissioner for the district of New Bern. All which is submitted.

THOMAS PERSON, Ch.

The committee to whom was recommitted the memorial of Hardy Murfree, Esq., Commissioner of confiscated property for the district of Edenton, report—That in their opinion the Comptroller ought to

be directed to receive the certificates in his hands, of the emission by the Commissioners of army accounts at Warrenton, in the year 1786, amounting to about eighteen hundred pounds, which he received in payment for confiscated property prior to the passing any law to invalidate them. The committee are further of opinion, that he be allowed commissions in money on the amount of sales of such confiscated property as he sold before the passing the resolve 1785, which authorises the payment of certificates for such commissions; and that he be allowed his commissions in certificates for such part as he sold subsequent to the passing said resolve, so far as he has settled his accounts and made payment; also that he be allowed commissions in certificates on such property as was legally sold, and which the State afterwards caused to be otherwise disposed of; and that his Excellency the Governor be directed to issue a warrant on the treasury for the amount of commissions in money, and that the Treasurer pay certificates for the amount of commissions in certificates, of a date prior to the 1st of January, 1790, in the same manner as payment hath heretofore been made to James Armstrong, Esq., Commissioner for the district of New Bern. All which is submitted.

THOMAS PERSON, Ch.

The committee of propositions and grievances No. 2, to whom the petition of John Wilson and Isham Finch was referred, report—That it appears to your committee from the face of the petition, that the said John Wilson and Isham Finch are entitled to pay for their services in the late continental line of this State; but for want of proper vouchers to support the allegations in the said petition set forth, your committee are induced to reject the petition, upon the principles of thinking that should the discharges mentioned come to hand, the petitioners will be redressed by the bill now on its passage relative to such claims, should it pass into a law.—Which is submitted.

WYATT HAWKINS, Ch.

Resolved, That the house do concur with these reports.

Received from the Senate the following message:

Mr. Speaker and Gentlemen:

We will concur with the resolutions of your house reported by a committee, relative to our Senators in Congress, provided you will agree to make therein the following amendments, viz.: That the preamble be deled, and the following inserted, "Whereas the secrecy

of the Senate of the United States, the alarming measures of the late session of Congress, and the silence observed by the Senators from this State in not corresponding with the Legislature or Executive thereof, strongly impress this General Assembly with the necessity of declaring their sentiments thereon."—That the resolution directing the route of the mail, be struck out and the following inserted, "Resolved, That the Senators from this State be, and they are hereby strenuously enjoined to exert themselves to effect an alteration in the present route of the mail, or to establish another general post through the interior parts of this State, by way of Halifax, Warrenton, Hillsborough, Salisbury and Charlotte, so as to give that satisfaction which is not now experienced, but which is essential in such a government as that under which we now exist."—That the last resolution in the report be amended by striking out from the word "each," in the last line thereof, and insert "of the States of Virginia, South Carolina and Georgia."

Ordered, That the following message be sent to the Senate:

Mr. Speaker and Gentlemen:

We cannot by any means agree to the amendments by you proposed to be made in the resolutions entered into by this house to be transmitted to the Senators of this State in the Congress of the United States; and in order that they may be accommodated and made to come up fully to the wishes of the two houses, we propose that a committee of conference be appointed who shall agree upon the amendments, if any are necessary to be made therein; and for this purpose, have appointed Mr. Macon, Mr. Taylor, Mr. Jones, Mr. Polk, Mr. Person and Mr. M'Dowall.

The house adjourned until Monday morning, 10 o'clock.

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MONDAY, December 13, 1790.

Met according to adjournment.

The committee appointed to count and burn the ragged money in the treasury, report—That they have received, counted and burned the sum of five thousand four hundred and sixty-four pounds eighteen shillings and three pence, ragged money.

MATTHEW LOCK, Ch.

Resolved, That the house do concur with this report.

Whereas the General Assembly of this State passed an act in the

year 1786, at Fayetteville, to raise a certain number of troops for the defence and protection of the inhabitants of Davidson county, in which act is expressed that a Board shall be appointed for the adjustment of their accounts, after which adjustment being made, the officers and soldiers of said troops shall be paid a half year's pay; and as such Board hath never yet been appointed, whereby the warrants for land as part payment of the said troops, cannot be issued: Resolved, therefore, That Francis Child, the Comptroller of public accounts, be and he is hereby appointed to receive the accounts or pay-rolls of the officers commanding the said troops; and if upon examination and due proof of the said accounts or pay-rolls being just, and that the said troops or any part of them have fully complied with the Act of Assembly under which they were raised, then and in that case he shall certify the same to the Secretary of State, who shall issue warrants for land to the claimants agreeable to such certificate: And if it shall be made appear to the Comptroller, on the settlement of the accounts aforesaid, that any part of the pay allotted to each officer and soldier yet remains due, the Comptroller is hereby authorised and directed to grant certificates for such sums as shall appear due to each officer and soldier; which certificates shall be paid and received as taxes for the county of Davidson aforesaid.

Ordered, That Mr. M'Kinne have leave to absent himself from the service of this house after this day.

Mr. Polk presented the memorial of Anthony Sharpe; which being read, was ordered to lie over until the next Assembly.

The Speaker laid before the house a letter from Abishai Thomas, Esq., one of the Agents from this State for settling the accounts thereof with the United States, enclosing a state of his expenditures, &c.; which being read, was referred to the Comptroller of public accounts and sent to the Senate.

Received from the Senate the following reports, concurred with by that house, viz.—The report on the quantity of ragged money burnt, on the memorial of Charles Bruce, on the petition of Joseph Blount, on the petition of John Wilson and Isham Finch, on the petition of Joseph Leech, on the communications of the Agents, &c., and on the petition of Benjamin Boyd. Received also two resolutions of this house, one rescinding a resolution of the last Assembly, so far as relates to foreclosing the mortgages given by James Williams on lands sold John Willis, Michael Holt and Thomas Tomlinson, &c., and the other directing his Excellency the Governor to grant warrants in

favour of the widows and orphans of the officers of the late line of this State, agreeable to an act passed in 1785, concurred with.

The committee of finance, to whom the petition of Richard Blackledge, executor of the last will of Richard Blackledge, dec., was referred, on the subject of leather purchased from him in the year 1778, by Richard Caswell, Jun., and receipted for by the then Governor for the use of the public, also a quantity of leather purchased of him by Edward Hall, Assistant Quartermaster, beg leave to submit to the house the following State of the facts, to-wit:—That by a resolution of the last General Assembly it appears, that the Agents for settling the accounts of this State with the United States were directed to inform themselves by what means this State procured a credit with the United States for the leather aforesaid, and to transmit the same to the present Assembly; in consequence of which the Agents have transmitted an account, that from want of an early acquaintance with the said resolution they failed to procure the necessary information, as the papers in the Clothier's department were all packed up before they applied; but subjoin an opinion, that if the State hath not obtained a credit hitherto, the delivery may be established, and a credit obtained.—That it appears from the account rendered Gov. Caswell in the year 1778, he received from the executors of Richard Blackledge leather to amount of £1869 16, for the use of the public—Also, it further appears, Edward Hall, Assistant Quarter-master, purchased of the said Richard Blackledge fifty sides of sole leather, for which he was to give fifty barrels of public corn, and accordingly drew an order for the same on the Commissioner of Hyde county; which leather, the fifty sides, plainly appears hath never been paid for, as the said Blackledge produced the original receipt for the same, and the order on the Commissioner aforesaid for the corn.—That from the petition of the said Richard Blackledge, it appears he is willing and desirous to found the claim aforesaid on whatever credit the State hath or may obtain for the same with the United States, and is ready to surrender into the hands of the Agents the original papers; and whenever the Agents shall agreeably to the resolution aforesaid, make a report thereof, the Governor shall be requested to draw in his favour to amount so obtained, with interest, on the treasury. Which is submitted.

THOMAS PERSON, Ch.

The house taking this report into consideration, and the subject

matter contained in the petition to which the report refers, Resolved, That the prayer of the petition be rejected.

Received from the Senate the following message:

Mr. Speaker and Gentlemen:

We have received and considered of your message proposing a committee of conference on the resolutions respecting our Senators in Congress, to which we do not agree, but again submit them to your consideration.

Ordered, That the following message be sent to the Senate:

Mr. Speaker and Gentlemen:

We will agree to the first two amendments by you proposed in the resolutions of this house intended to be transmitted to the Senators from this State in Congress, provided the other resolutions stand as sent to you from this house.

Received from the Senate the letter from Abishai Thomas, Agent, &c., endorsed "Read and referred as by the House of Commons." Also the resolution of this house directing the Comptroller to settle the accounts and pay-rolls of the officers who commanded the troops raised for the protection of Davidson county, concurred with.

Received from the Senate a bill for altering the time of holding the several county courts of pleas and quarter-sessions therein mentioned, endorsed "Read the second time and passed."

The bill to erect the western parts of Burke and Rutherford counties into a separate and distinct county, was laid over until the next Assembly.

Received from the Senate a resolution of that house, requesting his Excellency the Governor to give information to Spruce M'Kay of his appointment as Judge, and to John Haywood of his appointment as Solicitor-General, &c.; which being read, was concurred with and returned.

The committee of finance, to whom the petition of Richard Blackledge, on the subject of sugar and coffee shipped on board the flag-schooner Trent, Capt. Christopher Neale, for Haddrell's Point, for the use of the officers and soldiers then in captivity, was referred, submit to the house the following state of facts, to-wit:—That in the January session of the General Assembly, in the year 1781, a resolve passed empowering Joseph Leech, Esq., Commissary of prisoners, to procure by purchase or loan, fifty hogsheads of tobacco, pledging the faith of the State to pay for the same if purchased, or replaced

if borrowed, at an interest of ten per centum.—That in consequence thereof Col. Leech procured a small quantity of tobacco, and permitted several gentlemen to ship on board said vessel a quantity of tobacco addressed to particular officers, among which were sent by Richard Blackledge seven thousand one hundred and forty-three pounds weight, to Col. Clark, as appears by the original invoice, all which hath been paid for by the individual officers to whom the same was consigned.—That in the above mentioned invoice of tobacco there appears also a quantity of coffee, three hundred and fifty-six pounds weight, addressed to Col. Clark; also in one other invoice of sundries shipped as aforesaid, there appears to have been shipped five boxes of Spanish white sugars, net one thousand nine hundred and twenty-six pounds weight, by William Blount, J. G. Blount and Richard Blackledge, which by the receipt of Joseph Leech, Commissary as aforesaid, appears to have been sent for the use of the officers of the line of this State, and also addressed to Col. Clark—That by a letter from Col. Clark, addressed to the General Assembly, bearing date the 20th of November ultimo, and the information of Capt. Daves, on oath, it appears the said coffee and sugars, were received by the said Clark, and agreeably to an order of a board of officers, specially by him ordered for the purpose, equally distributed among the officers and soldiers then prisoners at Haddrell's Point—That it appears by a certificate sworn to by Joseph Speed, factor for the said Blackledge, Spanish white sugars and coffee were bartering at the time of the shipment aforesaid for tobacco, at the rates of twelve pounds sugar for one hundred pounds weight of tobacco, and ten pounds of coffee for one hundred pounds weight of tobacco; which coffee and sugar, by the petition of the said Blackledge, appears to be worth, the sugar three shillings and four pence, and the coffee four shillings per lb. dollars at eight shillings.—That although the tobacco shipped as aforesaid appears to have been paid for by the individual officers to whom the same was addressed, yet it does not appear that the coffee or sugars were ever paid for by the said Col. Clark, any other person, or the State. All which is submitted.

THOMAS PERSON, Ch.

The house taking this report into consideration, and it not appearing that the said Richard Blackledge had ever applied for a settlement of his accounts otherwise than to the General Assembly: Resolved, That no allowance be made him unless it be by granting

a certificate to be of the value of audited certificates—Whereupon Mr. Leigh moved for leave to withdraw the account and vouchers, and leave was granted.

Received from the Senate a resolution of that house directing Col. Hargett to contract for printing sixty copies of the act for amending the court system; which being read, was concurred with and returned.

The house adjourned until to-morrow morning, 9 o'clock.

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TUESDAY, December 14, 1790.

Met according to adjournment.

The bill for the inspection of tobacco on Dan river, on the lands of Thomas Harrison, in Caswell county, was read the third time, passed and ordered to be engrossed.

Received from his Excellency the Governor the following message, to-wit:

To the Honourable the General Assembly:

Gentlemen:

Herewith I send you a general return of the militia of the State of North Carolina, so far as returns have been made to me from the Brigadier-Generals of the several districts; I am sorry the same is not more compleat—the Brigadier-Generals of Morgan, Salisbury and Edenton districts, with the Colonels of Granville, Orange, and Caswell, of Hillsborough district, having failed to make their returns;—waiting for information from the delinquent officers in this business, has occasioned my delay of the above to this late period of the session. ALEX MARTIN.

Fayetteville, December 13, 1790.

Ordered, That the above message, and the return therein referred to, be sent to the Senate.

Mr. Handy presented the resignation of Hardy Bryan, as Lieutenant-Colonel of the Johnston regiment of militia, which being read, was accepted and sent to the Senate.

The resignation of Wyatt Hawkins, as Lieutenant-Colonel of the Warren regiment of militia, was read, accepted and sent to the Senate.

Mr. Macon made known to the house that it was the request of John

Haywood, Assistant-Clerk to this house, to resign that appointment in consequence of his late appointment as Solicitor-General: Therefore,

Resolved, That the resignation of Mr. John Haywood, as Assistant-Clerk to this house, be accepted; and that Mr. Pleasant Henderson be appointed Assistant Clerk in his stead.

Received from the Senate a resolution of that house directing the Comptroller to examine the offices of the Clerks of the two houses of the General Assembly, and withdraw from them any accounts or vouchers which may tend to establish any claim against the United States; which being read, was concurred with and returned.

The committee to correct errors in patents and grants, to whom the petition of John Markland was referred, report—That on due deliberation it appears that the claim set up by Mr. Markland for certificates paid up by his deceased father into the treasury, on account of being security for a certain Daniel Lee, for confiscated lands purchased at the Commissioner's sale for the district of New Bern, is not well authenticated; and from the information of Mr. Markland the committee are induced to believe, that the vouchers necessary to substantiate his claim he will have in his power to prove, therefore are of opinion the petition be laid over until the next General Assembly.—Submitted. THOMAS PERSON, Ch.

Resolved, That the house do concur with this report.

Mr. Hay moved for leave to withdraw the memorial of the merchants and others of the town of Fayetteville, and leave was granted.

Mr. Jones moved for leave to withdraw the two petitions of sundry of the inhabitants of the town of Wilmington, and leave was granted.

Received from the Senate the following message:

Mr. Speaker and Gentlemen:

We will concur with the reports of the committee on the petitions of Hardy Murfree, and Griffith J. M'Ree, Esquires, provided you will agree to amend them thus, to-wit: That the report in favour of Major M'Ree, be amended by sriking out from the word "Commisioners," to the word "certificates" in the following line; and insert, "and that the Treasurer shall pay unto him the said M'Ree certificates out of the treasury of a date prior to the first of January, 1790."—That the report in favour of Hardy Murfree, Esq., be amended by striking out the words "Comptroller issue," and insert

"Treasurer pay." That after the words "certificates," two lines below, dele "as aforesaid," and insert "of a date prior to the first of January, 1790."

Ordered, That the following message be sent to the Senate:

Mr. Speaker and Gentlemen:

We have received the message of your house proposing amendments to the reports in favour of Hardy Murfree and Griffith John M'Ree, Esquires, with which we have agreed, and made the reports conformable thereto, and now send them for your concurrence.

The bill to amend an act, entitled, "An act directing the manner of electing Representatives to represent this State in Congress," was read the third time, amended, passed and sent to the Senate.

The committee to correct errors in grants and patents, to whom was referred the petition of James Cannon, report—On the certificate of the Secretary, corroborated by his oral testimony, it appears that the Surveyor made a mistake in the plat of the said petitioner's land in the first line thereof, which as laid down is North 47 West 225 poles, and in his certificate of the courses, it calls for North 47 East 225 poles.—Your committee are therefore of opinion that a resolution be entered into, directing the Secretary to alter the patent for said lands by erasing the word *East* in the first course, and inserting the word *West;* and that he make the records in his office conformable thereto.—Submitted. THOMAS PERSON, Ch.

The committee to correct errors in grants and patents, to whom was referred the petition of Murdock Macree, report—That on enquiry it appears that the said Murdock Macree purchased a piece of land, lying in the county of Moore, of a certain Robert Atkinson, and took a deed for the same, but by some means or other has lost it.—Your committee on duly considering the matter, are of opinion that the legislature has no right to interfere in business of this kind—if the said petitioner lost his deed before having it recorded and registered, he can apply to the person of whom he purchased the said land and have another deed executed; and should it be on the records as by law directed, he may apply to the Clerk and Register of the county for a certificate and copy thereof; therefore reject the petition.—Submitted. THOMAS PERSON, Ch.

Resolved that the house do concur with these reports.

Received from the Senate two resolutions of that house, one directing the Senators from this State in Congress to use their endeav-

ours to cause the Commissioners of Loans for the State of North Carolina to hold his office at Hillsborough;—the other directing the Comptroller to issue a certificate to Joseph Leech, &c.; which being read, were concurred with and returned.

Received from the Senate the following message:

Mr. Speaker and Gentlemen:

We now agree to the resolutions of your house relative to the Senators from this State in Congress agreeable to your last message on that head.

We the subscribers protest against the resolution for removing the loan-office of the United States: 1st. Because it is beneath the dignity of the legislature of North Carolina to interfere with the servants of Congress. 2d. Because the measure directed is inadvisable and impolitic.

EDWARD JONES,
JOHN LEIGH,
D. WITHERSPOON,
JOHN HAY,
LEMUEL CREECY,
J. HAMILTON,
JAMES TAYLOR.

Received from the Senate the following reports concurred with by that house, to-wit:—On the petition of Murdock Macree, on the petition of James Cannon, on the petition of John Markland, on the petition of Griffith John M'Ree, and on the petition of Hardy Murfree.

Mr. Jones moved that the following clause be added to, and made part of the bill for raising a revenue for the payment of the civil list and contingent charges of government for the year 1791:

And whereas it hath frequently happened that persons have been permitted in this State to qualify and act as Sheriffs, Clerks, Entry-takers and Registers, without giving bond as required by law for the due collecting and accounting for the public taxes and other monies which should become payable by them, to the great injury of the State, and detriment of its revenue: Be it therefore further enacted, That henceforward it shall be the indispensable duty of the Clerks of the county courts, and they and every of them are hereby strictly required, under the penalty of two hundred and fifty pounds current money, to be sued for in any court of record having cognizance there-

of, in the name of the Governor, and recovered for the use of the State, to make a record of those Justices of the Peace who shall be in court or on the bench at the time of the appointment of their Sheriffs, Clerks, Entry-takers and Registers; which Justices of the Peace, in case of their failure to take the bonds by law required, shall be considered as being, and they are hereby declared to be, bound and liable, to all intents and purposes, as the securities of such Sheriff, Clerk, Entry-taker or Register, from whom they may have failed to take bond, in as full and ample manner as though such bonds were taken, and they had actually been named therein, and had subscribed the same as his or their securities; and they and each of them shall be proceeded against accordingly by the Treasurer and others concerned; in all which instances or suits, a copy of the record of the court attested by the Clerk, is hereby declared to be legal and sufficient evidence, shall be admitted as such, and judgment shall be had thereon accordingly."

The question being put, "Will the house receive this clause as an amendment to the bill?" was negatived; whereupon the yeas and nays were called for by Mr. Jones, and seconded by Mr. Dickens, which are as follows, to-wit:

Yeas.—Mess. Dawson, Stone, Gautier, Stewart, M'Dowall, Dickens, Dixon, Stallings, Leigh, Bell, I. Hill, A. Davis, Person, Montgomery, Peters, Handy, Polk, Cherry, Slade, Grove, Sanders, Macon, Pender, Guion, Hay, Simpson, Turner, Graves, Lord, Jones, Hamilton, H. Hill.—32.

Nays.—Mess. Wood, Lanier, Smith, Sawyer, Yancey, Hannah, Jasper, Caldwell, Irwin, Matthews, Ussory, Martin, Bonds, Spicer, Carrington, A. Mebane, S. Allen, Perry, Gaither, Porter, Taylor, Philips, Regan, Lovell, Thomson, Lewis, Franklin, M'Kay, Spruill, Sutton, Creecy, Borden, Pickett, Chambers.—34.

The house adjourned till 4 o'clock, P. M.

Met according to adjournment.

The committee appointed to hear the excuses of members who failed to give their attendance at the present General Assembly agreeably to law, report—That having heard the excuses made by the several delinquents that appeared before your committee, are of opinion that they are sufficient and ought to be admitted.—All which is submitted.

DAVID TURNER, Ch.

Resolved, That the house do concur with this report.

Received from the Senate the report of the committee on the petition and bill for annexing part of Onslow county to Jones county, concurred with by that house; which being read, was concurred with by this house and returned.

The bill to impose a certain fine on any person or persons taking a seat in the General Assembly, who are disqualified by the constitution of this State to be a member thereof, was read the second time, amended, passed and sent to the Senate.

Received from the Senate a resolution of that house appointing Col. Owen to contract for printing a certain number of copies of the act for the division of the State into districts, &c.; which being read, was concurred with by this house, and Mr. Mebane appointed on the part of this house to act with Col. Owen for this purpose.

The bill for altering the time of holding the several county courts of pleas and quarter-sessions therein mentioned, was read the third time, amended, passed and sent to the Senate.

Ordered, That Mr. Bell and Mr. Bonds have leave to absent themselves from the service of this house after this day.

Adjourned until to-morrow morning, 9 o'clock.

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WEDNESDAY, December 15, 1790.

Met according to adjournment.

Ordered, that Mr. Cherry, Mr. Slade, Mr. Davis, Mr. Hawkins, Mr. Dickens and Mr. Thompson have leave to absent themselves from the service of this house after this day.

Whereas several of the Sheriffs within this State have not exhibited their claims for travelling and comparing the polls for Representatives in Congress: Therefore, Resolved, That the Treasurer be and he is hereby directed to take such Sheriffs accounts in settlements of their public accounts, first being duly proven and attested before a Justice of the county where such Sheriff resides.

The committee of privileges and elections, to whom was referred the certificate from the Treasurer respecting Mr. Hance Hamilton and Mr. James Withrow being in arrears to the public, report—That it appears to your committee from the said certificate, that the said Hance Hamilton, late Sheriff of Guilford, and James Withrow, late Sheriff of Rutherford county, are in arrears to the public for taxes due for the year 1788: Your committee are therefore of opinion,

that agreeably to the constitution the said Hance Hamilton and James Withrow, the sitting members, are not entitled to seats in this present General Assembly.—Which is submitted.

THOMAS PERSON, Ch.

The house taking this report into consideration concurred therewith: Whereupon,

Resolved, That writs of election issue to the said counties for the election of two members in the room of the said Mr. Hamilton and Mr. Withrow; and that a writ of election also issue to the county of Beaufort, for the election of one member to this house in the room of Richard Grist, dec., and that the said elections be held on the days appointed for the election of Representatives from this State in Congress.

Received from the Senate the report of the committee on the memorial of Catharine Young, endorsed "Read and concurred with;" which being read, was ordered to lie over until the next Assembly.

Resolved, That the Treasurer be and he is hereby directed to stay any law proceedings, which he may have commenced against the estate of Henry Young, late Colonel of New Hanover county, until after the next General Assembly.

The bill for raising a revenue for the payment of the civil list and contingent charges of government for year 1791, and to repeal an act, passed at New Bern, 1784, entitled, "An act for raising a public revenue for the support of government, and to repeal an act, entitled, An act to suppress excessive gaming," was read the third time, passed and ordered to be engrossed.

The bill to regulate and fix the prices for inspecting and coopering tobacco at Fayetteville, was read the third time, passed and ordered to be engrossed.

The committee appointed to take under consideration the propriety of calling a Convention for the purpose of revising the constitution of this State, and making the same conformable to the constitution of the United States, report—That they have not come to any determination on the propriety of calling a Convention, but submit the same to the consideration of the General Assembly. All which is submitted.

ROBERT IRWIN, Ch.

The house taking this report into consideration, Resolved, That it be laid over until the next Assembly.

The bill to increase the jurisdiction of the county courts in this

State, was read the third time and laid over until the next Assembly.

Received from the Senate a resolution of that house directing the Treasurer to deliver the final settlement certificates in his possession, to the Comptroller, &c.; which being read, was concurred with and returned.

Received also the report of the committee on the memorial of Jane Pindexter and Joseph Williams, endorsed "Read and concurred with;" which being read, was concurred with and returned.

Whereas Charles Bruce, Esq., Commissioner of Confiscated property for Salisbury district, proceeded to sell six hundred and forty acres of land, the property of a certain Moses Sanders, in different lots situated in the county of Anson, to the following persons, to-wit: John Wright, Jun., William Morris, George Wells and William Wood, when at the same time the said Moses Sanders was a Justice of the Peace in the county of Rowan, whereby the said lands were illegally sold:

Resolved, That Charles Bruce, Esq., Commissioner of Confiscated property for the district of Salisbury, be directed by the Comptroller not to bring suits against the said John Wright, Jun., William Morris, George Wells and William Wood, until after the rise of the next General Assembly.

Received from the Senate three resolutions of this house, concurred with, to-wit:—One directing the Treasurer to stay law proceedings against the estate of Henry Young, one other directing the Treasurer to pay the claims of Sheriffs for attending to compare the polls for the election of Representatives, and the third directing Charles Bruce, Commissioner of confiscated property, not to bring suit against John Wright and others.

Received from the Senate a resolution of that house for remitting the duties secured by this State on goods, wares and merchandize imported into this State from the other States in the union since the adoption of the federal constitution by this State; which being read, was rejected.

Resolved, That the Governor, by and with the advice of the Council of State, shall take such order with respect to the State agency for the final settlement of the accounts of this State, as to the Executive may seem most expedient for the interest of this State.

The bill for subscribing on loan in the office of the Commissioner of the United States, such continental monies, and continental and state securities, as are or may be in the hands of the Treasurer or

Comptroller of this State belonging to the public, or which shall be in the hands of either of them on the last day of September next, and for appropriating certain monies as therein mentioned, was read the third time, and laid over until the next Assembly.

Ordered, That Mr. W. Hill and Mr. Bailey have leave to absent themselves from the service of this house after this day.

Resolved, That the execution obtained in Hillsborough superior court, at the instance of the Treasurer, against Michael Johnston Kenan, Entry-taker of Duplin county, be stayed until the first of April next; and in case he the said Kenan shall by that time settle his accounts, and balance them in full up to the 31st day of December, 1789, it is hereby declared that the penalty for which the said execution was obtained, shall be remitted, and that he shall be released therefrom accordingly on paying the cost.

Received from the Senate a resolution of that house directing Hardy Murfree, Commissioner of Edenton district, to sell the land formerly purchased by Nehemiah Long, &c.; which being read, was concurred with and returned.

The committee of claims, to whom the petition of John Arnold was referred, report—That having taken under their consideration the allegations in the said petition set forth, and several vouchers in support thereof, your committee are of opinion that the said vouchers are not sufficient to grant the prayer of the said petition, but that the same be rejected.—Which is submitted.

ROBERT IRWIN, Ch.

Resolved, That the house do concur with this report.

Received from the Senate the following resolution for concurrence, viz:

North Carolina, In Senate,
December 15, 1790.

The Judges of the superior courts of law and courts of equity in this State, having laid before the General Assembly a letter informing of their having refused to obey a writ of certiorari issued by the federal Judges of the circuit court for the district of North Carolina, relative to a suit depending in the court of equity for the district of Edenton, in the state aforesaid, in which Robert Morris, John Alexander Nesbit and others are complainants and Nathaniel Allen, Alexander Black, William Scott and others are defendants; and the said Judges having together with their letter laid before the two houses the

reasons and causes of their refusal, it is therefore Resolved, That the General Assembly do commend and approve of the conduct of the Judges of the courts of law and courts of equity in this particular.

WILLIAM LENOIR, S. S.

This resolution being read, the question was put, "Will the house concur with the resolution of the Senate?" and carried in the affirmative, and the yeas and nays thereupon called for by Mr. Jones; which are as follows, to-wit:

Yeas.—Mess. Dawson, Stewart, Sawyer, Dickens, I. Mebane, Dixon, Stallings, H. Williams, Bell, Davis, Person, Yancey, Hannah, Montgomery, H. Bryan, Caldwell, Matthews, Polk, Slade, Butler, Ussory, Bonds, Scull, A. Mebane, S. Allen, Reading, Lock, Gaither, Porter, Taylor, Philips, Brown, Lovell, Thompson, Houser, Sutherland, Sanders, Franklin, Macon, Pender, Guion, M'Kay, Graves, J. Allen, Lord, Jones.—46.

Nays.—Mess. Wood, Lanier, Stone, Gautier, Ferebee, Croom, Leigh, Jasper, Peters, E. Bryan, Irwin, Cherry, Carrington, Perry, Everigin, Regan, Blewit, Grove, Hay, Fulford, Turner, Spruill, Sutton, Creecy, Borden, Pickett, Witherspoon, Hamilton, H. Hill.—29.

Ordered, That the letter from the honourable the Judges of the superior courts of law and equity, and representation referred to in the foregoing resolution of the Senate, be entered at large on the journal of this house *(See the last of this day's proceedings.)*

Received from the Senate the report of the committee on the petition of John Arnold, concurred with by that house.

Resolved, That the assumption of the State debts by the Congress of the United States, without their particular consent, is an infringement on the sovereignty of this State, and may prove eventually injurious and oppressive to the same; wherefore we view this measure of Congress as dangerous to the interests and rights of North Carolina: Under this impression, we the Representatives of the freemen of North Carolina, in General Assembly, on behalf of ourselves and our constituents, do solemnly protest against the proceedings of the Congress of the United States, assuming or providing for the debts of the individual states.

Resolved, That the Senators and Representatives from this State in the Congress of the United States, be directed to exert their endeavours to prevent as far as possible the evil operations of such

acts to the interests and liberties of this country, and prevent as much as in their power all other and further assumptions, until the accounts of the respective states, and this State in particular, shall be fully adjusted, and the consent of this State shall have been first had and obtained.

Resolved, That the Executive of this state be required, without delay, to demand from the Senators and request of the Representatives of this State in Congress, their intelligence and advice as to the most eligible means of securing the rights and interests of this State, against such injuries as may arise to North Carolina from the aforesaid assumption; and that the Governor, by and with the advice of the Council in the recess of the General Assembly, in this particular may take such measures as to them may be deemed expedient for the purpose aforesaid.

Resolved, That all evidences of the debt of the United States or of this State, in the hands of the Treasurer, Comptroller or State Agents, shall from time to time be subject, and they are hereby subjected, to the direction of the Governor and Council, during the recess of the General Assembly, that the same may be applied as to them may appear, upon mature deliberation, most beneficial to this State.

The bill to direct the manner in which the real soldier or honest claimant, among those who had military accounts settled at Warrenton in the year 1786, shall obtain certificates, and making provision for such claimants whose accounts are yet unsettled, and directing the manner in which certain certificates therein mentioned shall be received at the Treasurer's and Comptroller's office, was read the third time, passed and ordered to be engrossed.

The committee appointed to correct errors in patents, to whom was referred the petition of Wright Stanley and Thomas Turner, executors of the last will and testament of John Wright Stanley, deceased, report—That it appears to the committee that Wright Stanley purchased at the sale made by Benjamin Sheppard, Commissioner of confiscated property for the district of New Bern, several tracts of land in the county of Craven, and gave his bond for the payment of the same; on which bond suit hath been since commenced by the Treasurer in the superior court of Hillsborough district, for the recovery of the whole amount thereof with interest. Your committee believing that the said Wright Stanley and Thomas Turner were ig-

norant of the contents of a resolution passed at the last session of Assembly, in favor of those who became indebted to the State for confiscated property purchased, until the time to which its operation was limited had expired, do recommend that the bond given by Wright Stanley as aforesaid be delivered up to him, on his performing the requisites of the said resolution at any time on or before the sixth day of April next provided it shall appear the bond was given for the whole amount of the purchase money aforesaid.

THOMAS PERSON, Ch.

Resolved, That the house do concur with this report.

The committee to whom was referred the petition of William Blount, delivered in a report thereon; which being read, was rejected.

The committee appointed to correct errors in patents, to whom the petition of Edward Tinker was referred, report—That it is the opinion of your committee that the said Edward Tinker be released as to the purchase of one tract containing three hundred and eighty acres, with the interest thereon, and that he be accountable to the Treasurer for the balance; and that Benjamin Sheppard formerly Commissioner, be requested to cause a survey to be made agreeable to law, and returned to the Secretary's office, to enable said Edward Tinker to obtain a title to the hundred acres late the property of Thomas Murphy, and also for the one hundred and eighty acres late the property of Thomas Torrens, on his paying the purchase money agreeably to the sale. All which is submitted.

THOMAS PERSON, Ch.

The committee of finance, to whom the letter from William Skinner, Commissioner of the United States loan office, making application that the checks to the certificates should be delivered to him, was referred, report—That it is the opinion of the committee it would be impolitic and inexpedient in the present situation of this State, to deliver the said checks to any person whomsoever, as they consider the possession of the checks the only security this State hath to guard against the many frauds that have been committed, and are daily practicing, and the only possible preventative against such measures, as in their opinion are highly injurious to the interest of this State. The committee are further of opinion, that the said checks are the only possible evidence whereby any improper or unjust claim may at any future period be detected, and which may be raised in conse-

quence of the act of Congress assuming the debts of this State: Nevertheless they are of opinion, and recommend, that the Commissioner of loans shall have free access to the said checks, at the offices wherein they are lodged, for his information, whereby he may govern himself in the duties of his appointment. Which is submitted.

THOMAS PERSON, Ch.

Resolved, That the house do concur with these reports.

Received from the Senate a resolution of that house directing the Treasurer to return certain certificates as therein directed; which being read, was rejected.

Resolved, That John Sibley and Co. be allowed the sum of thirty-nine pounds ten shillings, for printing copies of sundry acts, &c., and that the Treasurer pay the same.

Resolved, That the Clerks be allowed the sum of four pounds per day for attendance, engrossing Clerks fifty shillings per day, and the Door-keepers thirty shillings per day; and that they be allowed the same daily pay for travelling to and from, that is allowed the members.

Received from the Senate the resolution of this house directing the Treasurer to stay execution against Michael J. Kenan, a resolve directing his Excellency the Governor to take such order respecting the State agency as he may deem necessary, a resolution allowing the Clerks, and a resolution allowing John Sibley and Co., severally concurred with. Received also the report of the committee on the letter from William Skinner, the report on the petition of Edward Tinker, and the report on the petition of Wright Stanley and Thomas Turner, concurred with.

Received from the Senate a resolution of that house allowing John Wilson the sum of fifty pounds for wood, &c., furnished the General Assembly; which being read, was concurred with and returned.

Received also a resolution directing those who have unliquidated claims for services in the late line of this State, to lodge the same in the Treasurer's office; which being read, was concurred with and returned.

Resolved, That the Attorney-General do, on or before the first day of April next, commence suit against William Blount, Esq., former Agent of Indian affairs, for all monies in his hands as Agent or otherwise, not accounted for agreeably to law and the resolutions of the General Assembly.

Resolved, That the bonds lodged in the hands of the Clerk by George Ogg, in behalf of William Blount, Esq., signed Bryan Ward, be returned to the said George Ogg, or his order.

Received from the Senate a resolution of that house for advancing to Abishai Thomas, Agent, a certain sum therein mentioned; which being read, was concurred with and returned.

Resolved, That the Comptroller's report that the Treasurer be allowed the sum of two hundred and seventy-four pounds six shillings, for issuing certificates agreeable to an act of the last General Assembly, be allowed.

Received from the Senate the resolution of this house directing the Attorney-General to commence suit against William Blount, and the resolution allowing John Haywood two hundred and seventy-four pounds six shillings, concurred with.

Mr. Person presented sundry reports of the committee on finance; which being read, Resolved, That this house concur with the reports of the committee on finance; and that so much of the said reports as are marked, as follows, be entered on the Journal.

Report marked No. 1, from the beginning to A No. 1,—and the remainder No. 2. The whole of the reports No. 2, and No. 3. The resolution B No. 3, which is to follow the insertion of the Comptroller's reports on the Treasurer's accounts of the first of July, C No. 4. The Treasurer's account marked report B. No. 4, and the list of balances B. E.—And that the other papers, together with the foregoing resolution be sent to the Senate.

COMMITTEE ON FINANCE, REPORT NO. 1.

The sub-committee No. 1, on finance, to whom was referred "to examine and inspect the books of the Treasurer and Comptroller, and report their situation, the amount of the certificates issued and received, together with the sum yet in circulation, and the amount of ragged money now in the treasury," have obedient thereto examined the books of the Treasurer, and compared them with those of the Comptroller, and report

| | | | |
|---|---|---|---|
| That on the 1st day of July last there was a settlement made by the Comptroller with the Treasurer, and that it appears by the said settlement that, John Haywood, Esq., as public Treasurer, was possessed of a balance due the public in the sum of.. | £ | 31,394 | 5 2 |
| That since that time, *to wit*, the 1st day of July, 1790, to the 1st day of November following, it appears that the further balance of 18,060*l.* 18*s.* was on the last mentioned day also possessed by the Treasurer and due the state,..... | | 18,060 | 13 0 |
| Total of money in the treasury the 1st of November, 1790, as per Treasurer's account,..... | £ | 49,454 | 18 2 |

A, NO. 2.

Although the sub-committee No. 1, have in the foregoing compleated what was desired of them by the committee on finance, yet they have added thereto for the information of the General Assembly some further statements and remarks, as necessary to the knowledge of our revenue. The sub-committee would be remiss indeed, did they neglect this opportunity of declaring their utmost satisfaction of the manner in which the books of the Treasurer are kept—That the settlement made with the Comptroller the 1st of July last, appears to be proper. accurate and just; in a word, the Treasurer's office is a pattern worth imitation—The reports of the Comptroller are clerical and just. JAMES TAYLOR, Ch.

The foregoing report was read in the committee of the whole, received and ordered to be reported to the house. THOMAS PERSON, Ch.

REPORT NO. 2.

| | *Money.* | *Certificates.* |
|---|---|---|
| Due the public—Treasurer's returns, | £ 2,246 4 11 | £ 9,058 7 0 |
| Collectors of impost, | 26,397 8 3 | |
| Commissioners of confiscated property, | | 36,128 19 9 |
| Comptroller's returns, | 15,599 11 10 | |
| Due from Commissaries under the command of Gen. Rutherford, 68,200 *l.* currency. | | |
| Due from Sheriffs, | 27,826 19 7 | 24,208 17 4¾ |
| | £72,070 4 7 | £69,396 4 1¾ |

Exclusive of what is due from the Entry-taker of western lands, about

The sub-committee on finance No. 1 report, that the above sums are due the public up to the year 1789, to which may be added the further sums of 10,000 *l.* in money and 10,000 *l.* in certificates, up to the 1st November, 1790, which it is presumed are not reported owing to the insufficiency of our revenue laws

JAMES TAYLOR, Ch.

The foregoing report was read in committee of the whole, received and ordered to be reported to the house THOMAS PERSON, Ch.

NO. 3. CIVIL LIST FOR THE YEAR 1791.

| | £ |
|---|---|
| Governor's salary | 800 |
| Treasurer's do | 750 |
| Comptroller's do. | 500 |
| Secretary of State | 100 |
| Council, Clerk and Door-Keeper | 100 |
| Private Secretary | 100 |
| Clerk to the treasury | 200 |
| Members of Assembly, Clerks and Door-Keepers | 12,000 |
| Judges of the superior courts | 3,200 |
| Attorney-General and Solicitor. 320 *l.* each | 640 |
| Agents for settling with the United States | 1,600 |
| Public Printer | 500 |
| Incidental expences of government of every kind, the committee estimate at | 250 |
| | £ 20,740 |

From the large sums of money due the public, and from the present wealth of the treasury, the sub-committee are led to propose a poll tax of two shillings only, a land tax of eight pence on every hundred acres, and a tax of two shillings on every hundred pounds value of town property in this state; which in their opinion, with the other established taxes in aid of the revenue, will be fully adequate to the expences of the year 1791. JAMES TAYLOR, Ch.

The foregoing report was read in the committee of the whole, received and ordered to be reported to the house THOMAS PERSON, Ch.

REPORT C. NO. 4.

The following is a statement of the amount of public revenue of this state for the years 1787, 1788 and 1789, so far as returns have been made, but for the want of energy in the revenue laws the returns have been by no means compleat, the amount therefore is not such as it should have been; and it is to be remembered this amount is founded on the reports made by the Comptroller up to the 1st day of July last, at which time the Treasurer's accounts were settled.

Amount of the cash part of the reports.....£ 149,110 18 4 money.
Amount of the certificate part of do. ....£ 123,599 8 2 certificates.

JAMES TAYLOR, Ch.

The foregoing report being read in committee of the whole, was received and ordered to be reported to the house. THOMAS PERSON, Ch.

NO. 5. COMPTROLLER'S REPORTS ON THE TREASURER'S ACCOUNTS.

North Carolina, Comptroller's Office,
July 1, 1790.

Be it remembered, that I, Francis Child, Comptroller of the public accounts of the State aforesaid, have this day settled the account of John Haywood, public Treasurer, so far as the same applies to arrearages, to wit, to monies, certificates, and dollar bills by him received as being due and owing to the public previous to the first day of January, one thousand seven hundred and eighty-eight, as per the foregoing sheets, which have by me been compared with the books of the said Treasurer, and found just and perfectly right; the said books I have also examined with the returns and vouchers, and found them proper and true: and the said returns and vouchers I have received and taken into my possession; It therefore becomes my duty to certify and declare, which I do in my official capacity, that the public arrearage account of the said John Haywood, as Treasurer aforesaid, is fully, fairly, finally and completely settled and balanced, from the time of his first appointment, and from the day of his qualification as Treasurer, in January, 1787, up to this first day of July, 1790, as appears by the books and vouchers aforesaid. In testimony of which I hereto set my hand, this first day of July, 1790.

FRANCIS CHILD, Comptroller.

North Carolina, Comptroller's Office,
July 1, 1790.

I, Francis Child, Comptroller of the public accounts of the State of North Carolina, do in my official capacity hereby certify, publish and declare to all whom it may concern, that John Haywood, public Treasurer of the said state, hath this day settled his account as Treasurer aforesaid, for the taxes and other public dues of the years 1787, 1788 and 1789, in my office; whereby it appears, that from the first day

of January, 1788, up to the first day of July, 1790, the reports of the Comptroller against Sheriffs and other accountants, with which the said Treasurer became chargeable in virtue of an act of Assembly passed at Tarborough, in December, 1787, entitled, "An act for the more regular collecting and accounting for the revenues of this state," &c., amount to one hundred and forty-nine thousand one hundred and ten pounds, eighteen shillings and four pence in current money, and to one hundred and twenty-three thousand five hundred and ninety nine pounds eight shillings and two pence in specie-certificates. and that the credits of the said Treasurer for grants and warrants, cash and certificate vouchers, together with dollar money and other claims delivered the controller, and for the balances still due for those years from sundry accountants reported against, amount to one hundred and seventeen thousand seven hundred and sixteen pounds thirteen shillings and two pence in cash, and to one hundred and twenty-three thousand five hundred and ninety-nine pounds eight shillings and two pence in specie certificates; which sums being deducted from the amount of the reports charged against him by the Comptroller as aforesaid, leave a balance of thirty-one thousand three hundred and ninety-four pounds, five shillings and two pence current money, in the hands of the said Treasurer, due and payable to the state on the said 1st day of July, 1790, and for which said sum of 31,394*l*, 5*s*, 2*d*, the said Treasurer is accountable. It is therefore to be remembered and borne in mind, that on the payment of the above mentioned sum of 31,394*l*. 5*s*. 2*d*. in current money, or in cash claims, all the public accounts of the said John Haywood, as Treasurer of North Carolina, will be finally settled and competely balanced and closed, from the time of his appointment as Treasurer aforesaid, up to the said 1st day of July, one thousand seven hundred and ninety.

£ 31,394 : 5 : 2, balance due in current money, on the first day of July, 1790.

FRANCIS CHILD, Comptroller.

Received from the Senate the resolution of this house, concurring with the reports of the committee on finance, concurred with by that house.

### Resolution B. No. 3.

The General Assembly having concurred with a report of the committee on finance, in which it is declared, that the settlement of the accounts of the public Treasurer made by the Comptroller, up to the 1st day of July last, is proper, fair and just; and it appearing by the Comptroller's reports on the said settlement, that on that day, to-wit: on the 1st day of July, 1790, John Haywood, Esq., public Treasurer, did fully settle, lodge vouchers, and account for all sums of money, certificates and dollar bills, for which he was chargeable or accountable, from the beginning of the year 1787, the time of his first appointment as Treasurer of North Carolina, up to the said first day of July, 1790, the sum of thirty-one thousand three hundred and ninety-four pounds, five shillings and two pence current money, only, excepted:

Therefore, Resolved, That the General Assembly do approve of the said settlement, and do hereby declare the same is and shall be final, valid and conclusive, and do therefore order, that the reports of the Comptroller on the said Treasurer's accounts, which now lie before the General Assembly, shall be entered on the journal of each house, as a part of their records, that it may hereafter be known that the same are approved by the General Assembly, and that the settlement which they report is valid and final, up to the 1st of July, 1790.

## REPORT B NO. 4.

A CONTINUATION OF THE TREASURER'S ACCOUNT SINCE THE SETTLEMENT WITH THE COMPTROLLER TO THE 1ST OF NOVEMBER, 1700.

| | *Money.* | *Certificates.* |
|---|---|---|
| To cash received of Samuel Harroll, clerk of Hertford county, | £ 39 0 6 | |
| Do. received of Nathan Harroll, | 15 0 | |
| Do. received of Henry Lane, | 36 0 0 | |
| Certificates received of Edm. Williams, | | 105 17 9 |
| Received of Michael Harrison, | | 573 12 0 |
| Cash received of Edward Hall, | 25 0 0 | |
| Do. received of Edmund Williams, | 190 0 0 | |
| Do. received of William Johnson, | 120 6 0 | |
| Do. received of Absalom Tatom, | 10 0 0 | |
| Certif. received of Samuel Barton, | | 64 0 0 |
| Do. received of Spillsby Coleman, | | 909 12 5 |
| Cash received of do. | 531 7 8 | |
| Do received of George Wynn, | 505 15 0 | |
| Certif. received of do. | | 917 1 1 |
| Cash received of Robert Parks, | 313 0 0 | |
| Do. received of Edward Hall, | 79 19 10 | |
| Do received of John H. Hall, | 1 5 0 | |
| Do. received of John Gibbs, | 128 0 8 | |
| Certif. received of do. | | 553 4 4 |
| Cash received of George Wynns, | 191 6 11 | |
| Certif. received of William Clarke, | | 59 0 0 |
| Cash received of David Perkins, | 375 7 2 | |
| Do. received of William Johnson, | 240 0 0 | |
| Do. received of David Perkins, | 145 19 4 | |
| Certif received of do. | | 194 3 0 |
| Cash received of James Read, | 2823 1 0 | |
| Certif. received of James Burn, | | 117 10 9 |
| Cash received of Joseph Henry, | 114 15 11 | |
| Do. received of do. | 206 2 0 | |
| Certif. received of do. | | 817 2 8 |
| Cash received of John Wilson, | 10 0 0 | |

| | *Money.* | *Certificates.* |
|---|---|---|
| Do. received of Richard Skinner, | 409 17 7 | |
| Do. received of do. | 316 2 0 | |
| Certif. received of do. | | 6 0 0 |
| Cash received of Joseph Arrington, | 94 17 6 | |
| Do. received of William S. Marnes, | 1 0 0 | |
| Do. received of Samuel Westray, | 160 0 0 | |
| Do. received of do. | 160 0 0 | |
| Certif. received of do. | | 27 2 7 |
| Do received of Thomas Dockery, | | 121 8 1 |
| Cash received of George Davidson, | 37 18 5 | |
| Do. received of William Love, | 9 0 0 | |
| Do. received of Seth Hovey, | 18 7 7 | |
| Do. received of do. | 228 6 0 | |
| Certif. received of do. | | 66 7 6 |
| Cash received of James Paine, | 897 15 0 | |
| Cash received of Marmaduke Johnson, | 123 1 11 | |
| Do. received of William W. Erwin, | 47 5 0 | |
| Certif. received of Thomas Christmas, | | 15 0 0 |
| Cash received of John Kennady, | 315 16 5 | |
| Certif. received of do. | | 316 17 11 |
| Cash received of Theophilus Thomas, | 571 14 5 | |
| Certif received of do. | | 256 11 8 |
| Cash received of William Ward, | 324 3 10 | |
| Certif. received of do. | | 689 18 9 |
| Cash received of Simon Jeffreys, | 137 3 10 | |
| Certif. received of do. | | 183 16 6 |
| Cash received of Caleb Foreman, | 25 7 0 | |
| Do. received of Benjamin Foreman, | 3 0 0 | |
| Do. received of Hardy Holmes, | 157 4 6 | |
| Do. received of David Dodd, | 202 11 0 | |
| Do. received of Curtis Ivey, | 25 2 1 | |
| Do. received of Owen Holmes, | 2 10 0 | |
| Certif. received of John Crump, | | 414 14 8 |
| Do. received of John Peterson, | | 382 12 4 |
| Cash received of do. | 331 13 0 | |
| Do. received of Eaton Haynes, | 24 0 0 | |
| Do. received of Samuel Smith, | 1094 16 0 | |
| Certif. received of do. | | 1 3 0 |
| Cash received of Starkey Sharpe, | 74 15 2 | |
| Do. received of Edmund Blount, | 304 11 0 | |
| Certif. received of do. | | 62 16 6 |
| Cash received of Thomas Mackey, | 58 11 6 | |
| Do. received of Thomas Hunter, | 28 5 6 | |
| Do. received of Samuel Smithwick, | 398 0 6 | |
| Certif. received of do. | | 189 5 7 |
| Cash received of Nathan Morris, | 5 0 | |
| Do. received of James Withrow, | 86 6 0 | |
| Certif. received of do. | | 556 10 11 |
| Cash received of Robert Parks, | 90 0 0 | |
| Certif. received of Joseph Spruill, | | 233 13 0 |

| | *Money.* | *Certificates.* |
|---|---|---|
| Cash received of John Branch, | 615 0 0 | |
| Certif. received of do. | | 46 8 5 |
| Cash received of Cornelius Dowd, | 282 19 11 | |
| Certif. received of do. | | 338 13 6 |
| Cash received of George Lockhart, | 916 8 8 | |
| Certif. received of do. | | 73 0 0 |
| Cash received of Stevens Gray, | 100 5 0 | |
| Do. received of Amos Turner, | 8 10 0 | |
| Do. received of Richard Good, | 102 5 0 | |
| Do. received of William Cray, | 5 0 0 | |
| Do. received of Robert Martin, | 20 0 0 | |
| Certif. received of Wm. R. Singletary, | | 1568 16 0 |
| Cash received of Joseph Singletary, | 2 5 2 | |
| Do. received of Henry Deberry, | 295 9 5 | |
| Do. received of Samuel Bridgers, | 300 17 11 | |
| Certif. received of do. | | 436 3 0 |
| Do. received of John Crumpler, | | 153 10 8 |
| Cash received of Lewis Beard, | 393 0 0 | |
| Certif. received of James Matthews, | | 248 5 3 |
| Do. received of George Graham, | | 1065 17 1 |
| Cash received of do. | 279 4 6 | |
| Certif. received of I. Atkins, | | 813 7 5 |
| Cash received of Robert Gorrell, | 6 0 0 | |
| Cash received of Brittain Harris, | 278 12 0 | |
| Certif. received of do. | | 1 4 0 |
| Do. received of Spillsby Coleman, | | 89 10 9 |
| Cash received of do | 20 0 0 | |
| Do received of William Johnson, | 159 2 2 | |
| Do. received of John Hinton, | 282 10 6 | |
| Do. received of Demsey Burges, | 90 17 3 | |
| Do. received of Caleb Grandy, | 226 12 9 | |
| Certif. received of do. | | 200 1 10 |
| Cash received of Willis Etheredge, | 10 0 | |
| Certif. received of Brittain Harris, | | 150 1 11 |
| Cash received of William Hinton, | 611 8 6 | |
| Do. received of Joseph Williams, | 72 16 8 | |
| Do. received of Hugh Armstrong, | 536 7 0 | |
| Do. received of Lewis Beard, | 262 2 1 | |
| Do. received of Edmund Williams, | 47 10 0 | |
| Certif. received of Nathan Allen, | | 321 2 2 |
| Cash received of Hugh Armstrong, | 38 0 0 | |
| Do. received of John Bryan, | 182 8 6 | |
| Certif received of Hugh Armstrong, | | 594 9 8 |
| Cash received of Isaac Clark, | 172 9 6 | |
| Do. received of William Wall, | 127 11 0 | |
| Do. received of Hugh Torrence, | 409 14 1 | |
| Certif. received of do. | | 43 3 11 |
| Cash received of Peter Bennett, | 300 15 0 | |
| Do. received of Zachariah Harman, | 400 0 0 | |

| | *Money.* | *Certificates.* |
|---|---|---|
| Do. received of Henry Deberry, | 156 8 0 | |
| Certif. received of do. | | 5 0 |
| Cash received of John Nichols, | 707 5 4 | |
| Do. received of John Campbell, | 417 12 0 | |
| Do. received of James Paine, | 30 0 0 | |
| Do. received of Absalom Tatom, | 53 13 6 | |
| Do. received of Richard Henderson, | 10 0 0 | |
| Cash received of Benjamin Caswell, | 324 0 0 | |
| Certif. received of do. | | 53 2 8 |
| Cash received of Michael Harrison, | 156 10 0 | |
| Do. received of Edmund Williams, | 113 1 11 | |
| Do. received of Eaton Haynes, | 64 0 0 | |
| THE FUNDS BELOW PAID ON ARREARAGES. | | |
| To cash received of John C. Bryan, | 13 7 7 | |
| Do. received of Robert White, | 13 17 0 | |
| Do. received of James Kenan, | 154 6 0 | |
| Do. received of Griffith Rutherford, | 5 0 | |
| Do. received of Isaac Hunter, | 60 0 0 | |
| Certif. received of Wilson Taylor, | | 258 2 0 |
| Do. received of Wm. R. Singletary | | 8 5 10 |
| Do. received of John Crumpler, | | 55 5 11 |
| Cash received of William Johnston, | 47 0 10 | |
| Do. received of Spruce M'Kay, | 371 0 0 | |
| Do. received of Demsey Burges, | 37 18 6 | |
| Do. received received of James Mebane, | 35 0 0 | |
| Certif. received of Nathan Allen, | | 46 12 1 |
| Cash received of James Moore, | 49 5 9 | |
| | £23,216 13 0 | 14,599 18 6 |

| | *Money.* | *Certificates.* |
|---|---|---|
| To cash received of sundries, from 1st July, 1790, to 1st Nov. same year, | £23,216 13 0 | |
| To certificates received from sundries, from 1st July to 1st Nov., 1790, | | 14,599 18 6 |
| | £23,216 13 0 | 14,599 18 6 |
| To balance per contra due the state November 1st, 1790 | £18,060 18 0 | 14,568 19 8 |

| | *Money.* | *Certificates.* |
|---|---|---|
| By cash paid for grants and warrants, | £ 12 0 0 | |
| Do. paid for do | 190 0 0 | |
| Do. paid for do. | 96 0 0 | |
| Do. paid for do. | 1327 8 1 | |
| Do. paid for a due bill, | 15 3 11 | |
| Do. paid for grants and warrants, | 159 1 8 | |
| Do. paid for a due bill, | 29 16 11 | |
| Do. paid for grants and warrants, | 110 0 0 | |
| Do. paid for do | 31 13 0 | |

| | | | *Money.* | | | *Certificates.* | | |
|---|---|---|---|---|---|---|---|---|
| Do. paid for | do. | ..... ..... | | | | 27 | 2 | 7 |
| Do. paid for | do. | ..... | 11 | 0 | 0 | | | |
| Do. paid for | do. | ..... | 55 | 0 | 0 | | | |
| Do. paid for | do. | ..... | 330 | 0 | 0 | | | |
| Do. paid for | do. | ..... | 65 | 0 | 0 | | | |
| Do. paid for | do. | ..... | 477 | 10 | 0 | | | |
| Do. paid for | do. | ..... .. | 405 | 0 | 0 | | | |
| Do. paid for | do. | ..... | 328 | 15 | 4 | | | |
| Do. paid for | do. | ..... | 379 | 11 | 11 | | | |
| Do. paid for | do. | ..... | 942 | 0 | 0 | | | |
| Do. paid for | do. | ..... | 190 | 14 | 2 | | | |
| | | | £ 5,155 | 15 | 0 | 27 | 2 | 8 |

| | *Money.* | | | *Certificates.* | | |
|---|---|---|---|---|---|---|
| By certificates refunded to Samuel Westray, per resolve, ..... | | | | 27 | 2 | 7 |
| By do. paid J. Kenan, it being the sum paid over by him as Sheriff for 1786, ..... ..... | | | | 3 | 16 | 3 |
| By cash paid for grants and warrants, ..... ..... | 5155 | 15 | 0 | | | |
| By balance due the State, ..... ..... | 18,060 | 18 | 0 | 14,568 | 19 | 8 |
| | £23,216 | 13 | 0 | 14,599 | 18 | 6 |

*Errors excepted.* JOHN HAYWOOD, *Public Treasurer.*

December 2, 1790.

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INDIVIDUALS INDEBTED TO THE STATE OF NORTH CAROLINA ON THE TREASURER'S BOOKS ON THE 1ST DAY OF NOVEMBER, 1790, SO FAR AS RETURNS HAVE BEEN MADE OR ACCOUNTS RAISED, AS PER COMPTROLLER'S REPORTS, SINCE JANUARY, 1788.

| | *Money.* | | | *Certificates.* | | |
|---|---|---|---|---|---|---|
| Matthew O'Malley, V. M. Edenton, ..... | £ 2 | 10 | 1 | | | |
| John Braily, register, Rowan, ..... .... ..... | | 10 | 0 | | | |
| Henry Lane, clerk, Wake, ..... ..... | 47 | 17 | 0 | | | |
| John Cade, entry-taker, Robeson, ..... .... ..... | | | | 1456 | 4 | 0 |
| Wm. Blair, clerk Edenton superior court, ..... ..... | 79 | 17 | 0 | | | |
| James Cobb, clerk, Wayne, ..... | 24 | 16 | 7 | | | |
| Thomas Hunter, clerk, Martin, ..... ..... | 10 | 4 | 0 | | | |
| William Thompson, register, Carteret, ..... ..... | 2 | 0 | 0 | | | |
| Jonn H. Simpson, register, Pitt, ..... ..... | 4 | 0 | 0 | | | |
| Robert Read, clerk, Carteret, ..... | 54 | 15 | 10 | | | |
| William Cray, clerk, Onslow, ..... | 37 | 6 | 7 | | | |
| Joseph Robeson, clerk, Moore, ..... | 41 | 17 | 0 | | | |
| Archibald Henderson, clerk, Granville, ..... | 136 | 2 | 5 | | | |
| William Love, clerk. Richmond, ..... .... ..... | 4 | 15 | 9 | | | |
| Curtis Ivey, clerk, Sampson, ..... ..... ... | 45 | 8 | 4 | | | |

| | *Money.* | *Certificates.* |
|---|---|---|
| Lawrence Baker, clerk, Gates, | 90 11 1 | |
| Joseph Blount, clerk, Chowan, | 130 6 8 | |
| Stevens Gray, clerk, Bertie, | 55 19 3 | |
| William Wooten, clerk, Halifax, | 4 19 8 | |
| Green Hill, clerk, Franklin, | 65 10 7 | |
| Lunsford Long, register, Halifax, | 1 10 0 | |
| Eaton Haynes, clerk, Northampton, | 5 5 10 | |
| John Crumpler, entry-taker, Sampson, | | 66 6 9 |
| Lewis Bryan, clerk, Jones, | 61 3 9 | |
| Michael Auld, clerk, Anson, | 47 19 0 | |
| William Bryan, clerk, Craven, | 106 13 10 | |
| F. A. Ramsay, clk. Washington sup. c., | 2 10 0 | |
| John White, clerk Bladen, | 90 0 4 | |
| Kilbey Jones, entry-taker, Onslow, | | 400 0 0 |
| Josiah Jernigan, entry-taker, Wayne, | 655 4 0 | |
| Robert Montgomery, entry-taker, Burke, | 194 2 0 | |
| Matt. Brickell, entry-taker, Hertford, | | 369 4 0 |
| James Sutton, register, Chowan, | 15 0 | |
| Ica Atkins, entry-taker, Cumberland, | | 141 12 11 |
| Benj. Stephens, register, Wayne, | 5 5 0 | |
| John Goodman, entry-taker, Edgcomb, | | 24 0 6 |
| Thos. Henderson, clerk, Rockingham, | 43 18 0 | |
| Alex. M'Kean, entry-taker, Guilford, | | 135 8 0 |
| Wm. Threadgill, entry-taker, Anson, | | 55 0 0 |
| Thomas Searcy, clerk, Guilford, | 133 19 5 | |
| A. Alexander, entry-taker, Mecklenberg, | | 1665 15 6 |
| George Doherty, V. M., Wilmington, | 152 5 6 | |
| James Matthews, entry-taker, Moore, | | c0 5 10 |
| Samuel Martin, clerk, Mecklenberg, | 72 6 9 | |
| P. Henderson, Hillsb. sup. court, | 8 10 0 | |
| James Alexander, entry-taker, Iredell, | | 178 7 0 |
| Joseph Hardin, entry-taker, Greene, | | 276 10 5 |
| John Daily, entry-taker, Craven, | | 90 14 4 |
| Enoch Relfe, clerk, Pasquotank, | 29 13 2 | |
| William Ferebee, clerk, Curricuck, | 91 0 3 | |
| John Stone, register, Greene, | 11 5 0 | |
| Richard Woods, register, do , | 78 0 0 | |
| Hance Bond, entry-taker, Halifax, | | 570 18 6 |
| W. Casweli, clk. & entry-taker, Dobbs, | 13 16 1 | 487 17 8 |
| John Lovick, entry-taker, Dobbs, | | 71 0 0 |
| Dallum Caswell, register, Dobbs, | 10 0 | |
| Christopher Riddick, register, Gates, | 3 5 0 | |
| Martin Caswell, late clerk, Dobbs, | 129 17 7 | |
| James Brandon, entry taker, Rowan, | | 1247 6 0 |
| William Johnson, jun., Warren, | 5 0 | |
| Isaac Alexander, clk., Mecklenberg, | 49 5 5 | |
| William Hall, clerk, Nash, | 72 12 9 | |
| A. Sharpe, clerk, Iredell, | 24 7 7 | |
| John Matthews, register, Moore, | 1 5 0 | |
| Nathan Allen, entry-taker, Johnston, | | 526 15 10 |

| | *Money.* | *Certificates.* |
|---|---|---|
| Wm. Stephens, register, Washington, | 25 10 0 | |
| William Burges, register, Camden, | 1 5 0 | |
| Joseph Ferebee, entry-taker, Currituck, | | 95 1 0 |
| Henry Bond, entry taker, Chowan, | | 41 0 0 |
| Wm. Lane, entry-taker, Pasquotank, | | 19 0 0 |
| Thomas Jordan, register, do. | 5 9 | |
| Lovett Burges, clk. Camden, (settled, owes nothing) | 12 0 0 | |
| Lovett Burges, clerk Halifax sup. court, (settled since 1st. Nov. owes nothing.) | 19 0 0 | |
| Thomas Mackey, clerk, Tyrrel, | 42 2 6 | |
| Joseph Bell, entry-taker, Carteret, (since settled) | | 260 12 0 |
| Joseph Dixon, clerk, Lincoln, (do.) owes nothing | 69 0 4 | |
| | £ 2246 19 11 | 9058 7 0 |

COLLECTORS OF IMPOST.

| | |
|---|---|
| Samuel Ferrebee, collector of port Currituck, to the 10th March, 1790, | 1149 16 7 |
| Thos. Benbury, collector of port Roanoke, to the 26th of February, 1790, | 6870 13 2 |
| Nathan Keais, collector of port Bath, to the 10th March, 1790, | 1624 10 0 |
| John Daves, collector of port Beaufort, to the 10th of March, 1790, | 1896 7 8 |
| John M'Culloh, collector, port Swansborough, to the 1st July, 1780, | 125 8 1 |
| James Read, collector of port Brunswick, to the 10th of March, 1790, | 14730 12 9 |
| | £ 26397 8 3 |

ON THE BOOKS OF THE COMPTROLLER—COMMISSIONERS OF CONFISCATED PROPERTY.

| | |
|---|---|
| Archibald Lytle, Hillsborough district, | 15340 1 0 |
| Griffith John M'Ree, Wilmington district, | 9264 12 7 |
| Hardy Murfree, Edenton district, | 10680 11 5 |
| Charles Bruce, Salisbury district, | 843 14 9 |
| | £ 36128 19 9 |

AN ACCOUNT OF BALANCES DUE FROM INDIVIDUALS TO THE STATE OF NORTH CAROLINA AS THEY STAND IN THE BOOKS OF THE COMPTROLLER'S OFFICE. viz:

| | *Money.* | *Certificates.* |
|---|---|---|
| Robert Lynn, commissary, | 9 17 9 | |
| Lieut. Finney, | 1 14 7 | |
| Major Griffin, | 47 3 5 | |
| Andrew Hampton, | 49 13 7 | |

| | *Money.* | *Certificates.* |
|---|---|---|
| Thomas Boyd, Pasquotank, | 35 14 3 | |
| Hon. John Williams, Esq. | 42 16 8 | |
| Peter Clifton, Bertie, judgment, | 62 10 0 | |
| George Doherty, | 32 15 0 | |
| Kingsbury and Vance, | 22 3 6 | |
| Thomas Burke, | 48 9 6 | |
| Robert Varner, assist. quart. mast. gen., | 48 15 2 | |
| Alfred Moore, quart. mast. gen., | 15 18 6 | |
| R. N. Stephens, commissary, Beaufort, for 1782, | 101 8 6 | |
| Col. Henry Young, suit | 309 14 0 | |
| Capt. Henry Macon, | 20 0 0 | |
| Henry O'Neal, | 255 2 0 | |
| William Maxwell, quarter-master, | 1330 14 4 | |
| T. Scurlock, comm. suit, def. & enq., | 191 6 0 | |
| Samuel Henderson, | 22 8 10 | |
| Gen. Hogan, | 5 19 11 | |
| John Dolvin, 35 hogs, | | |
| Thomas Whiteside, Rutherford, | 25 0 0 | |
| Col. Wootten, comm. Wake, | 25 0 0 | |
| Capt Jacob Taylor, Camden, | 10 12 0 | |
| William Pickett, suit at issue, | 73 6 8 | |
| Benjamin Cleveland, Wilkes, | 184 0 0 | |
| Philip Alston, judgment, | 142 13 4 | |
| Samuel Cummins, Surry, judgment, | 173 6 8 | |
| Wm. Gilbert, Rutherford. judgment, and suit against bail, | 153 16 0 | |
| Hugh Brevard, Burke, | 50 6 4 | |
| Henry Rhodes, Onslow, | 3 13 4 | |
| Wm. Brown, Beaufort, suit defend. | 100 8 6 | |
| Jeptha Atherton, Northampton, | 51 0 0 | |
| John Throgmorton Carteret, | 10 0 0 | |
| R. Ellis, fort Johnson, suit not executed, | 250 0 0 | |
| Capt. William Rutledge, | 21 6 8 | |
| William Daves, quarter-master, suit, | 190 14 3 | |
| Samuel Jarvis, Currituck, | 6 8 0 | |
| Edward Salter, Pitt, suit at issue, | 86 10 0 | |
| William Hill, Franklin, | 27 8 10 | |
| George Gwinn, Granville, | 20 0 0 | |
| Hugh Fenner, Cumberland, | 213 6 8 | |
| William Gardner, Edenton, | 375 16 0 | |
| Auditors, Upper Board, Salisbury district, | 51 17 0 | |
| Col. James Blount, Chowan, | 44 8 10 | |
| John Stafford, comm. Perquimans, | 1565 11 0 | |
| Kennath M'Kenzie, Martin, | 10 12 1 | |
| Robert Martin, commiss. suit at issue, | 205 13 8 | |
| Abner Nash, suit at issue, | 2492 13 2 | |
| Curson and Governeur, | 450 14 9 | |
| William Moss, Montgomery, | 384 1 6 | |
| Patrick Travers, 304 head cattle, | | |
| W. Caswell, P. S. to Gov. Caswell | 923 18 0 | |

| | *Money* | *Certificates.* |
|---|---|---|
| Older Neale, (judgment), | 53 6 8 | |
| Agrippa Nichols, | 18 13 4 | |
| Jo Sanders, quart. mast., Jones, (dead,) | 100 0 0 | |
| Henry Scott, sheriff, Hyde, 4 head cattle, | | |
| David Jameson, comm., Anson, suit, &c. | 62 8 2 | |
| Thomas Davis, printer, | 55 0 0 | |
| W. Dawson, p. sec. to Gov. Johnston, | 171 1 6 | |
| Robert Rowan, commissioner, for purchasing tobacco at Fayetteville, | 61 10 0 | |
| Egbert Haywood, do. Halifax, | 468 12 11 | |
| James Porterfield, do. Fayetteville, | 176 0 9 | |
| Thomas Polk, (judgment), | 512 0 0 | |
| Wm. Blount, agent on Indian treaties, | 765 4 7 | |
| John Gray and Thomas Blount, suit, | 2400 0 0 | |
| John Markland, commissary to the Davidson troops, (no return), suit, | 109 19 8 | |
| Robert Cochran, | 38 18 4 | |
| Robert Gillis and Gilbert Eccles, | 64 4 2 | |
| Wm. Armstrong and Thomas Evans, | 8 2 2 | |
| Thomas Seawell and George Fletcher, | 12 17 1 | |
| Thomas Evans and Wm. Armstrong, | 34 14 9 | |
| | £ 15,629 11 10 | |

COMMISSARIES UNDER THE COMMAND OF GEN. RUTHERFORD, VIZ:

| | *Currency.* |
|---|---|
| John Brandon. | £ 25,000 0 0 |
| John Graham, | 25,000 0 0 |
| Samuel Hart, | 15,000 0 0 |
| James Hunter, | 3,200 0 0 |
| | £ 68,200 0 0 |

## A LIST OF BALANCES DUE FROM THE SEVERAL SHERIFFS IN THE STATE OF NORTH CAROLINA, FOR THE YEARS 1784, 1785, 1786, 1787, 1788 AND 1789, ON THE FIRST DAY OF NOVEMBER, 1790.

| *Counties.* | *Y.* | *Sheriffs names.* | *Money.* | *Certificates.* |
|---|---|---|---|---|
| Anson | 1784 | Stephen Miller, settled. | | |
| | 1785 | Thomas Wade, judgment, | £ 438 14 7 | 350 17 9 |
| | 1786 | Jesse Gilbert, judgment, | 163 6 0 | |
| | 1787 | Ditto, do. | 553 0 1 | 212 4 1 |
| | 1788 | David Jamison, do. | 588 7 11 | 504 6 9 |
| | 1789 | William May, no report from Compt paid nothing. | | |
| Beaufort | 1784 | Richard Respiss, | 6 1 9 | 15 6 11 |
| | 1785 | Edmund M'Keel, | 9 6 11 | 6 9 0 |
| | 1786 | Ditto, judgment, | 382 13 6 | |

| | | | *Money.* | *Certificates.* |
|---|---|---|---|---|
| | 1787 | John Kennady, settled. | | |
| | 1788 | Ditto, do. | | |
| | 1789 | Ditto, do. | | |
| Bertie | 1784 | James Campbell, do. since the 1st Nov. 1790. | | |
| | 1785 | William Gherry, do. | | |
| | 1786 | Ditto, do. | | |
| | 1787 | William Bryan, do. | | |
| | 1788 | Ditto, do | | |
| | 1789 | George Lockhart, do. | | |
| Bruns- | 1784 | John Cains, no return of taxable property, paid in part. | | |
| wick | 1785 | Ditto, settled. | | |
| | 1786 | Ditto, do. | | |
| | 1787 | Samuel Walters, judgment,..... | 626 17 6 | 596 7 1 |
| | 1788 | Josiah Richardson, do. ..... | 664 13 5 | 561 2 11 |
| | 1789 | Francis Alston, no report from Compt. paid in part since 1st Nov. | | |
| Bladen | 1774 | William M'Ree, settled. | | |
| | 1785 | Ditto, judgment,..... | 696 8 3 | 163 1 6 |
| | 1786 | James S. Purdie, ..... | 11 0 5 | 57 3 2 |
| | 1785 | William M'Ree, settled. | | |
| | 1788 | John Gibbs,..... | 820 1 4 | 615 7 8 |
| | 1789 | no report from Comptroller, nothing paid. | | |
| Burke | 1784 | William Moore, settled. | | |
| | 1785 | Ditto, do. | | |
| | 1786 | James Davidson, do. | | |
| | 1787 | Ditto, ..... | 80 15 8 | 57 4 8 |
| | 1788 | William Morrison,..... | 210 17 6 | |
| | 1789 | no report from the Comptroller, nothing paid. | | |
| Craven | 1784 | John C. Bryan, settled. | | |
| | 1785 | Ditto, do. | | |
| | 1786 | Ditto, this sum for tax fees,..... | 17 1 3 | |
| | 1787 | Ditto, settled. | | |
| | 1788 | Ditto, ..... | 636 10 5 | 1603 11 3 |
| | 1789 | Ditto, no report from the Comptroller, nothing paid. | | |
| Cum- | 1784 | James Emmett, settled. | | |
| berland | 1785 | Ditto, judgment,..... | 618 3 0 | 699 3 6 |
| | 1786 | John Campbell, settled. | | |
| | 1787 | Ditto, judgment,..... | 1222 13 3 | 1023 0 0½ |
| | 1788 | Ditto, ..... | 3 7 11 | |
| | 1789 | Thomas Armstrong,..... | 425 13 2 | 1183 15 9 |
| Carteret | 1784 | William Dennis, settled. | | |
| | 1785 | Ditto, do. | | |
| | 1786 | David Cooper, do. | | |
| | 1787 | William Dennis, do. | | |
| | 1788 | Ditto, do. | | |
| | 1789 | Ditto, no report from the Comptroller, nothing paid. | | |
| Curri- | 1784 | Thomas Jarvis, settled. | | |
| tuck | 1785 | John Simmons,..... | 11 13 4 | |
| | 1786 | James Philips, settled. | | |
| | 1787 | Asahel Simmons, do. | | |
| | 1788 | Alexander L. Whitehall, ..... | 544 17 7 | |

| | | | *Money.* | *Certificates.* |
|---|---|---|---|---|
| | 1789 | no report from the Comptroller, nothing paid. | | |
| Chowan | 1784 | Edmund Blount, settled, | | |
| | 1785 | Ditto, do. | | |
| | 1786 | Ditto, do. | | |
| | 1787 | Ditto, do. | | |
| | 1788 | Ditto, ..... | 520 9 10 | |
| | 1789 | Wm. Roberts, no report from Compt. paid nothing. | | |
| Camden | 1784 | Charles Grandy, settled. | | |
| | 1785 | Ditto, do. | | |
| | 1786 | Ditto, do. | | |
| | 1787 | Caleb Grandy, do. | | |
| | 1788 | Ditto, do. since the 1st Nov. 1790. | | |
| | 1789 | Ditto, ..... | 183 13 10 | 551 1 3 |
| Caswell | 1784 | John Douglas, settled. | | |
| | 1785 | James Sanders, do. | | |
| | 1786 | Ditto, do. | | |
| | 1787 | Robert Parks, do. | | |
| | 1788 | Ditto, ..... | 64 15 1 | |
| | 1789 | Spillsby Coleman, ..... | 168 16 11 | |
| Chatham | 1784 | Roger Griffith, settled. | | |
| | 1785 | Zechariah Harman, do. | | |
| | 1786 | Ditto, do. | | |
| | 1787 | Ditto, do. | | |
| | 1788 | Ditto, do. | | |
| | 1789 | Ditto, ..... | 350 19 4 | 1246 4 1 |
| Duplin | 1784 | James Pearceall, settled. | | |
| | 1785 | James Kenan, do. | | |
| | 1786 | Ditto, since 1st Nov. | | |
| | 1787 | James Pearceall, do. | | |
| | 1788 | Ditto, ..... | 88 15 5 | |
| | 1789 | Daniel Glisson, no report from Compt. paid in part. | | |
| Dobbs | 1784 | Robert White, settled. | | |
| | 1785 | Ditto, do. | | |
| | 1786 | Ditto, do. | | |
| | 1787 | Benj. Caswell, judgment, ..... | 431 16 0 | |
| | 1788 | Ditto, do. ..... | 1500 13 3 | 491 1 10 |
| | 1789 | Ditto, no report from the Comptroller, paid in part. | | |
| Davidson | 1784 | Name of the sheriff unknown. | | |
| | 1785 | Ditto, do. | | |
| | 1786 | Ditto, do. | | |
| | 1787 | David Hay, no report and nothing paid. | | |
| | 1788 | Thomas Hickman, do. do. | | |
| | 1789 | Name of the sheriff unknown. | | |
| Edgcomb | 1784 | Etheldred Phillips, settled. | | |
| | 1785 | Elias Fort, do. | | |
| | 1786 | Ditto, do. | | |
| | 1787 | Jacob Battle, do. | | |
| | 1788 | Ditto, do. | | |

| | | | *Money.* | *Certificates.* |
|---|---|---|---|---|
| | 1789 | Theop. Thomas, no report, paid in part. | | |
| Frank- | 1784 | Benj. Seawell, do. | | |
| lin | 1785 | Roger Jones, do. | | |
| | 1786 | Ditto, judgment ..... | 230 6 0 | |
| | 1787 | Simon Jeffreys, settled. | | |
| | 1788 | Ditto, do. | | |
| | 1789 | Britain Harris, ..... | 115 8 3 | 900 15 7 |
| Guil- | 1784 | James Hunter, settled. | | |
| ford | 1785 | Ditto, ..... | 302 10 3 | |
| | 1786 | Hance Hamilton, settled. | | |
| | 1787 | Ditto, do. | | |
| | 1788 | Ditto, ..... ..... | 1096 2 9 | 65 6 4 |
| | 1789 | no report from the Comptroller, nothing paid. | | |
| Gates | 1784 | Isaac Hunter, settled. | | |
| | 1785 | Ditto, do. since the 1st Nov. 1790. | | |
| | 1786 | Isaac Pipkin, do. | | |
| | 1787 | David Rice, do. | | |
| | 1788 | Ditto, do. | | |
| | 1789 | Seth Eason, ..... ... | 303 17 6 | 861 6 9 |
| Gran- | 1784 | Charles R. Eaton, settled. | | |
| ville. | 1785 | William Hunt, do. | | |
| | 1786 | Ditto, do. | | |
| | 1787 | Peter Bennett, do. | | |
| | 1788 | Ditto, ..... ..... | 447 14 11 | |
| | 1789 | Samuel Smith, ..... ... .. ... ... | | 724 7 2 |
| Greene | 1784 | Name of the sheriff unknown. | | |
| | 1785 | Ditto, do. | | |
| | 1786 | Ditto, do. | | |
| | 1787 | James Richardson, ... ..... | 381 1 4 | |
| | 1788 | Ditto, ..... | 445 15 9 | |
| | 1789 | No report, nothing paid. | | |
| Halifax | 1784 | Charles Pasteur, settled. | | |
| | 1785 | John Geddy, do. | | |
| | 1786 | Ditto, do. except fines. | | |
| | 1787 | John Whitaker, do. | | |
| | 1788 | Ditto, ..... ... ... | 60 7 3 | 39 3 11 |
| | 1789 | John Branch, no report but paid in part. | | |
| Haw- | 1784 | Name of the sheriff unknown. | | |
| kins | 1785 | Ditto, do. | | |
| | 1786 | Ditto, do. | | |
| | 1787 | Ditto, do. | | |
| | 1788 | Ditto, do. | | |
| | 1789 | Ditto, do. | | |
| Hert- | 1784 | James Boon, settled. | | |
| ford | 1785 | Josiah Sumner, settled. | | |
| | 1786 | Moses Sumner, judgment, ..... | 188 1 0 | 99 10 3 |
| | 1787 | Starkey Share, settled. | | |
| | 1788 | George Wynn, ..... ..... | 417 13 2 | |
| | 1789 | Ditto, no report, nothing paid. | | |

| | | | *Money.* | *Certificates.* |
|---|---|---|---|---|
| Hyde | 1784 | Henry Scott, settled. | | |
| | 1785 | Ditto, do. | | |
| | 1786 | Ditto, do. | | |
| | 1787 | James Jasper. ..... .... | 154 16 6 | |
| | 1788 | Seth Hovey, settled. | | |
| | 1789 | Ditto, ... ..... | | 324 13 10 |
| John- | 1784 | Nathan Williams, settled. | | |
| ston | 1785 | Arthur Bryan, do. | | |
| | 1786 | Ditto, do. | | |
| | 1787 | Ditto, do. | | |
| | 1788 | Phillip Raiford, ... ..... | 171 0 6 | 47 16 10 |
| | 1789 | John Bryan, no report, but paid in part. | | |
| Jones | 1784 | Isaac Bryan, judgment,..... | 42 2 5 | |
| | 1785 | Daniel Hargett, .... ... ..... | | 34 15 3 |
| | 1786 | Ditto, judgment,..... ..... | 537 3 4 | 488 9 1 |
| | 1787 | William Bush. settled. | | |
| | 1778 | Ditto, do. | | |
| | 1789 | Ditto, no report, nothing paid. | | |
| Iredell | 1784 | This county not established. | | |
| | 1785 | Ditto. | | |
| | 1786 | Ditto. | | |
| | 1787 | Ditto. | | |
| | 1788 | Ditto. | | |
| | 1789 | Hugh Torrence, settled. | | |
| Lincoln | 1784 | Joseph Henry, do. | | |
| | 1785 | Ditto, do. | | |
| | 1786 | Ditto, do. | | |
| | 1787 | Ditto, do. | | |
| | 1788 | Ditto, do. | | |
| | 1789 | Ditto, ..... | 140 9 0 | 177 6 9 |
| Moore | 1784 | William Scoggin, settled. | | |
| | 1785 | Richard Fagan, do. | | |
| | 1786 | Ditto, do. | | |
| | 1787 | Cornelius Dowd, do. | | |
| | 1788 | Ditto, do. | | |
| | 1789 | Ditto, do. | | |
| Martin | 1784 | John Kennedy, do. | | |
| | 1785 | Ditto, ..... | | 6 5 0 |
| | 1786 | John Ballard, settled. | | |
| | 1787 | Arthur Barden, do. | | |
| | 1788 | Samuel Smithwick, do. | | |
| | 1789 | Ditto, no report, paid in part. | | |
| Meck- | 1784 | Joseph Graham, settled. | | |
| lenburg | 1785 | Ditto, do. | | |
| | 1786 | George Graham, do. | | |
| | 1787 | Ditto, do. | | |
| | 1788 | Ditto, ..... | 827 8 2 | |
| | 1889 | Ditto, ... ..... | 425 15 5 | 1257 15 0 |
| Montgo- | 1784 | William Johnson, settled. | | |
| mery | 1785 | Ditto, do. | | |

| | | | *Money.* | *Certificates.* |
|---|---|---|---|---|
| | 1786 | Ditto, | settled—except for tax-fees. | |
| | 1787 | Ditto, | do. | |
| | 1788 | Henry Deberry, | ..... 45 3 5 | |
| | 1788 | Ditto, | ... .... ..... 218 7 1 | 605 2 0 |
| North- | 1784 | Samuel Lockhart, | settled. | |
| ampton | 1785 | Joseph Wood, | do. | |
| | 1786 | Thomas Parker, | do. | |
| | 1787 | Ditto, | ..... 64 10 2 | |
| | 1788 | Jonas Crump, | ..... ..... | 437 1 3 |
| | 1789 | Joh Peterson, | ..... 344 12 11 | 1373 18 8 |
| Nash | 1784 | Duncan Lemon, | ..... 52 14 0 | |
| | 1785 | Ditto, | settled. | |
| | 1786 | Arthur Arrington, | do. | |
| | 1787 | Joseph Arrington, | ... ..... 97 5 3 | |
| | 1788 | Samuel Westray, | settled since 1st Nov. | |
| | 1789 | Ditto, | no report, paid in part. | |
| New | 1784 | Thomas Wright, | settled. | |
| Hano- | 1785 | Ditto, | .... ..... 96 3 0 | |
| ver | 1786 | Ditto, | settled, except tax-fees. | |
| | 1787 | Ditto, | no report, paid in part. | |
| | 1788 | Ditto, | do. do. | |
| | 1789 | Ditto, | no report, nothing paid. | |
| Onslow | 1784 | Reuben Grant, | settled. | |
| | 1785 | Thomas Johnston, | do. | |
| | 1786 | Ditto, | do. | |
| | 1787 | Lewis Hicks, | do. | |
| | 1788 | Ditto, | do. | |
| | 1789 | Ditto, | settled since 1st Nov. | |
| Orange | 1784 | James Freeland, | settled. | |
| | 1785 | Ditto, | do. | |
| | 1786 | John Nichols, | do. | |
| | 1787 | Ditto, | do. | |
| | 1788 | Ditto, | ..... 217 8 11 | |
| | 1789 | William M'Cawley, | no report, paid nothing. | |
| Pasquo- | 1784 | Joseph Reading, | settled. | |
| tank | 1785 | Ebenezer Sawyer, | settled, except for tax-fees. | |
| | 1786 | Ditto, | settled. | |
| | 1787 | Ditto, | do. | |
| | 1788 | Abram Symons, | do. | |
| | 1789 | No report, | nothing paid. | |
| Perqui- | 1784 | Charles Moore, | settled. | |
| mans | 1785 | Jesse Perry, | do. | |
| | 1786 | Edward Hall, | do. | |
| | 1787 | William Creecy, | do. | |
| | 1788 | Richard Skinner, | do. | |
| | 1789 | Ditto, | settled, except for emancipated negroes. | |
| Pitt | 1784 | David Perkins, | settled. | |
| | 1785 | Ditto, | do. | |
| | 1786 | Ditto, | do. | |
| | 1787 | Ditto, | do. | |
| | 1788 | Ditto, | do. | |

| | | | *Money.* | | | *Certificates* | | |
|---|---|---|---|---|---|---|---|---|
| | 1789 | Ditto, ..... | | | | 202 | 1 | 1 |
| Robe- | 1784 | This county not established. | | | | | | |
| son | 1785 | Ditto, do. | | | | | | |
| | 1796 | Samuel Porter judgment, ..... | 415 | 8 | 8 | | | |
| | 1787 | Samuel Bridgers, settled. | | | | | | |
| | 1788 | Ditto, do. | | | | | | |
| | 1789 | Samuel Bridgers, .. ..... .... | | | | 282 | 4 | 3 |
| Rowan | 1784 | John Brevard, settled. | | | | | | |
| | 1785 | Ditto, do. | | | | | | |
| | 1786 | Hugh Torrence, do. | | | | | | |
| | 1787 | Lewis Beard, do. | | | | | | |
| | 1788 | Ditto, do. | | | | | | |
| | 1789 | Ditto, no report, nothing paid. | | | | | | |
| Ruther- | 1784 | John Lewis, judgment,..... | 148 | 8 | 6 | | | |
| ford | 1785 | Ditto, do. | 177 | 15 | 5 | | | |
| | 1786 | Jonathan Hampton, .... ..... | 60 | 7 | 11 | | | |
| | 1787 | William Nevill, judgment..... | 126 | 7 | 9 | | | |
| | 1788 | James Withrow,..... .... | 564 | 12 | 5 | | | |
| | 1789 | no report, nothing paid | | | | | | |
| Ran- | 1784 | William Pickett, settled. | | | | | | |
| dolph | 1785 | Ditto, do. | | | | | | |
| | 1786 | Robert M'Laine, do. | | | | | | |
| | 1787 | Ditto, | | | | | | |
| | 1788 | Ditto, judgment, ..... | 1145 | 14 | 0 | 600 | 6 | 4 |
| | 1789 | Ditto, no report, nothing paid. | | | | | | |
| Rich- | 1784 | Edw. Williams, settled. | | | | | | |
| mond | 1785 | William Wall, do. | | | | | | |
| | 1786 | Ditto, do. | | | | | | |
| | 1787 | Ditto, do. | | | | | | |
| | 1788 | Ditto, ..... | 69 | 4 | 3 | | | |
| | 1789 | Ditto, ... ..... | 174 | 0 | 5 | 517 | 3 | 6 |
| Rock- | 1784 | This county not established, | | | | | | |
| ingham | 1785 | Ditto, | | | | | | |
| | 1786 | John May, settled. | | | | | | |
| | 1787 | Ditto, judgment..... ... ... ... | 596 | 14 | 2 | | | |
| | 1788 | Isaac Clark, ..... .... ..... .... | 146 | 0 | 4 | | | |
| | 1789 | John Hunter, no report, nothing paid. | | | | | | |
| Sumner | 1784 | Name unknown. | | | | | | |
| | 1785 | Name unknown. | | | | | | |
| | 1786 | Name unknown. | | | | | | |
| | 1787 | Thomas Mastin, settled. | | | | | | |
| | 1788 | Ditto, do. | | | | | | |
| | 1789 | No report, nothing paid. | | | | | | |
| Surry | 1784 | Wm. Meredith, judgment, . ..... | 256 | 15 | 4 | | | |
| | 1785 | Richard Goode, settled. | | | | | | |
| | 1786 | Ditto, do. | | | | | | |
| | 1787 | Ditto, do. | | | | | | |
| | 1788 | Ditto, ..... | 630 | 3 | 8 | | | |
| | 1789 | Hugh Armstrong, ..... ..... | 105 | 19 | 0 | | | |

| | | | *Money.* | *Certificates.* |
|---|---|---|---|---|
| Stokes | 1384 | This county not established untill the | | |
| | 1785 | session of 1889. | | |
| | 1786 | | | |
| | 1787 | | | |
| | 1788 | | | |
| | 1789 | | | |
| Sulli- | 1784 | This county not established: | | |
| van | 1785 | Ditto. | | |
| | 1786 | Ditto. | | |
| | 1787 | George Routledge,..... | 330 7 2 | 277 8 3 |
| | 1788 | Ditto, ..... | 206 13 11 | 173 13 2 |
| | 1789 | No report, nothing paid. | | |
| Samp- | 1784 | Hardy Holmes, settled. | | |
| son | 1785 | Ditto, do. | | |
| | 1786 | Ditto, do. | | |
| | 1787 | Ditto, do. | | |
| | 1788 | David Dodd, do. | | |
| | 1789 | No report, nothing paid. | | |
| Tyrrell | 1784 | Edmund Blount, settled. | | |
| | 1785 | Ditto, do. | | |
| | 1786 | Ditto, do. | | |
| | 1787 | Ditto, do. | | |
| | 1788 | Ditto. do. | | |
| | 1789 | Ditto, ..... | 55 6 10 | 533 10 6 |
| Tennes- | 1784 | This county not established until 1788. | | |
| see | 1785 | | | |
| | 1786 | | | |
| | 1787 | | | |
| | 1788 | | | |
| | 1789 | No report, nothing paid | | |
| Wash | 1784 | Sheriffs name unknown. | | |
| ington | 1785 | Ditto. | | |
| | 1786 | Ditto. | | |
| | 1787 | Edmund Williams,..... | 322 8 9 | 459 7 9 |
| | 1788 | Michael Harrison,..... | 525 1 0 | |
| | 1789 | No report, nothing paid. | | |
| Warren | 1784 | Thomas Turner, settled. | | |
| | 1785 | Benjamin Ward, do. | | |
| | 1786 | Ditto, do. | | |
| | 1787 | Philip Burford, do. | | |
| | 1788 | Ditto, ..... | 162 1 8 | |
| | 1789 | James Paine, ..... | | 318 13 8 |
| Wayne | 1784 | Robert Symms, settled. | | |
| | 1785 | John C. Pender, do. | | |
| | 1786 | Ditto, do. | | |
| | 1787 | Ditto, do. | | |
| | 1788 | Ditto, do. | | |
| | 1789 | William Ward, do. since the 1st Nov. | | |

| | | | *Money.* | *Certificates.* |
|---|---|---|---|---|
| Wade | 1784 | Nathaniel Jones, do. | | |
| | 1785 | Ditto, do. | | |
| | 1786 | Tignall Jones, do. | | |
| | 1787 | Ditto, do. | | |
| | 1788 | John Hinton, do. | | |
| | 1789 | William Hinton, ..... ..... | | 1294 0 6 |
| Wilkes | 1784 | Richard Allen, settled. | | |
| | 1785 | William Nall, judgment,..... ..... | 468 19 5 | |
| | 1786 | Ditto. | | |
| | 1787 | Ditto, judgment,.... .. .... ... | 881 11 3 | |
| | 1788 | Richard Allen, .... ..... | 590 7 4 | |
| | 1789 | No report, nothing paid. | | |
| | | | £ 27826 9 7 | 24208 17 4¾ |

The following is a copy of the letter from the Honourable the Judges of the superior courts of law and equity, ordered to be entered at large on the journal, to-wit:

To the Honourable the General Assembly of the State of North Carolina:

Gentlemen:

The Judges of the superior court of law and equity for the state, are ever attentive to their duty in the exercise of their office, in distributing justice not only to the citizens of this State, but to all, as well citizens of the United States as foreigners, and well hoped, that by so doing, they should not only avoid any censure on their conduct, but might prevent any clashing between the judiciaries of the United States and that over which they have the honour of presiding; a thing ever to be wished, and which they would avoid by every means in their power consistent with the laws and constitution of their country, and the great trust reposed in them by the legislature thereof; nevertheless a circumstance turned up at Edenton superior court last, which required that they should surrender to the judiciary of the United States a controuling power over the supreme judiciary of this State, or refuse to comply with what they unanimously conceived to be an unconstitutional mandate of the Judges of the federal court—the duties they owe to their country at large, and to themselves as men, dictated to them the latter. It was done by the Judges with unanimity and firmness, at the same time with all respect and decency which they conceived the nature of the case required.

They herewith present to the Honourable the General Assembly, the representatives of the people, to whom alone they conceive themselves accountable, a transcript of the proceedings in this extraordinary matter, and if their conduct should meet the approbation of your Honourable Body, it will be an additional satisfaction to a consciousness of having discharged a trust reposed in them by their country.

I have, Gentlemen, the honour to be,

With the highest respect and esteem,

Your most obedient humble servant,

JOHN WILLIAMS,

For and in behalf of himself and the other Judges of the Sup. courts, &c.

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The following is a copy of the representation of the Judges ordered to be entered on the Journal, to-wit:

EDENTON, November 19, 1790.

On Saturday last the term of the superior court of law and court of equity for Edenton district was closed, wherein many causes at law, both civil and criminal, as well as sundry suits and matters in equity, were heard and determined.

In the course of the term a writ of *Certiorari,* issuing out of the circuit court for the district of North Carolina, in the southern circuit of the United States, *commanding* the Judges of the court of equity for the district of Edenton, to certify an original bill of complaint, exhibited and now depending before the said Judges in the said court of equity, against Nathaniel Allen, Alexander Black, William Scott, William Boyd, William Bennett, Archibald Bell, Thomas Cox, Christopher Clarke, Charles Johnson and Josiah Collins and James Iredell, at the suit of Robert Morris, John Alexander Nesbit and David Hayfield Cunningham, in his own right, and as executor of the testament and last will of Redmond Cunningham, dec., with all things touching and concerning the same, &c., was produced by the Marshall of the district of North Carolina in the said court of equity, and shewn to the Judges thereof; who being all three present in court, delivered their opinion thereupon *seriatim,* but unanimously to the following purport:

That though they were anxiously desirous that no disagreement

or misunderstanding might take place between the judicial authority of this State and the tribunals established by the United States concerning their respective rights, jurisdictions and prerogatives, yet they conceived it their indispensable duty, which they owed to the citizens of the state pursuant to their oath of office, not to obey, or comply with the *mandate* of the aforementioned writ, for the following reasons:

First. Because that being a court of original general supreme and unlimited jurisdiction, they apprehended that as such a court they were not amenable to the authority of any other judicatory, and consequently that they did not conceive that the suits and proceedings depending before them in their judiciary capacity, were subject to be called or taken from the said court of equity by the *mandatory writ* of any other court or jurisdiction whatever, much less by that of a court of inferior and limited jurisdiction.

Secondly. Because they conceived, that as judges of the several superior courts of law and courts of equity within the state, they were not subject to the *mandate* of any writ for calling the records and proceedings in any cause or matter depending before them, or the transcripts thereof, to any of the courts or tribunals of the United States, in virtue of the constitution of the general government, or by force of any clause or article thereof, or by any act of Congress, or any law of the land.

Thirdly. That the suit required to be certified by the aforesaid writ of *Certiorari*, is not in such a stage, or so circumstanced, as to be removable from the said court of equity to the aforesaid circuit court, *even on petition* to this court pursuant to the act of Congress in that case provided; the aforesaid suit in equity being now in its first stage, and not unproceeded upon, but having been commenced several years ago, and depending in the said court of equity before the existence of any court established under the authority of the United States—had been twice heard on solemn argument, and several decretal orders had been made therein; and the removal of the said suit being required not at the instance of defendants, priviledged to be sued in a federal court, and involuntarily sued in the said court of equity, but at the instance of the complainants, who voluntarily and at their own option have commenced, and thus far prosecuted their said suit in the said court of equity: That this case was therefore obviously not within the purview of the aforementioned act of Congress for re-

moving a cause from a state court to a federal court, *even on petition* to the state court wherein such cause is depending.

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Mr. Hamilton presented the following protest against the resolution commending the Judges of the superior courts of law and equity for refusing to comply with the mandate of the Judges of the circuit federal court, &c.:

DISSENTIENT: Because we conceive, agreeably to the constitution under which we are assembled as legislators, the consideration of judicial proceedings, where no crime is imputed or offence alleged, is altogether improper:—Because, if the refusal to make return to the writ mentioned the adjudication has been made on proper principles, the approbation of this Assembly is unnecessary; and if the said adjudication shall hereafter appear erroneous, the resolution will prove improperly founded.—Because the resolution has proceeded from ex parte information, that of our judiciary alone, and if this General Assembly can be conceived proper judges of the question in dispute, a copy of the bill and writ on which the proceeding was grounded, ought to have been transmitted with the statement of the Judges.—Because, we are apprehensive any misunderstanding between the judiciary of our own state and that of the United States, may disturb that harmony which ought to prevail between the members of the same family.—Unwilling to violate the rule of our constitution, to decide upon measures whereof we are not competent judges, upon a point in which adequate information hath not been laid before us, and anxious to preserve the tranquility of that government of which we are common members, we do therefore offer this our solemn protest against the said resolution.

JOHN HAY,
JOHN LEIGH,
JOHN HAMILTON,
DAVID WITHERSPOON,
WILLIAM BARRY GROVE.

We the subscribers, do protest against the law for making a canal from the head of Pasquotank river in this State to the waters of Elizabeth river in the state of Virginia; 1st. Because it is impolitic in this State to promote importing and exporting through the

channel of another state, when the former possesses sea ports sufficiently adequate to the purpose.—2d. The pursuing any measure which will tend to prevent the citizen from cultivating the natural navigation of the state, is altogether injurious, and must eventually distress its infant commerce.—3d. Such measures are unwise, hasty and imprudent, and argues a want of historic knowledge and political foresight.—4th. It is impolitic and dangerous as a state to enter into a confederacy, which at once will tend to aggrandize a neighbouring nation, and impoverish our own—Norfolk from its situation will rise to be the emporium of commerce of the Southern States, while the eastern sea ports of North Carolina will dwindle into fishing towns—the one will rise into a proportionate ratio of trade, wealth, importance and populousness, to the decrease, waste and insignificance of the other: It is prudent and politic to entertain a manly jealousy of neighbouring states.—5th. The granting perpetuities to a particular set of men, and empowering them to monopolize a branch of commerce and to wrest the property of their fellow citizen from him without his consent, nay without even a security provided in favour of infants or others labouring under similar incapacities, is a flagrant violation of the constitution by which the people of North Carolina have consented to be governed.—6th. The controuling power of a law not to be repealed but by the consent of another government, is flagitious and absurd in a legislature that has no such power delegated to them by their own.

(The rest is wanting.)